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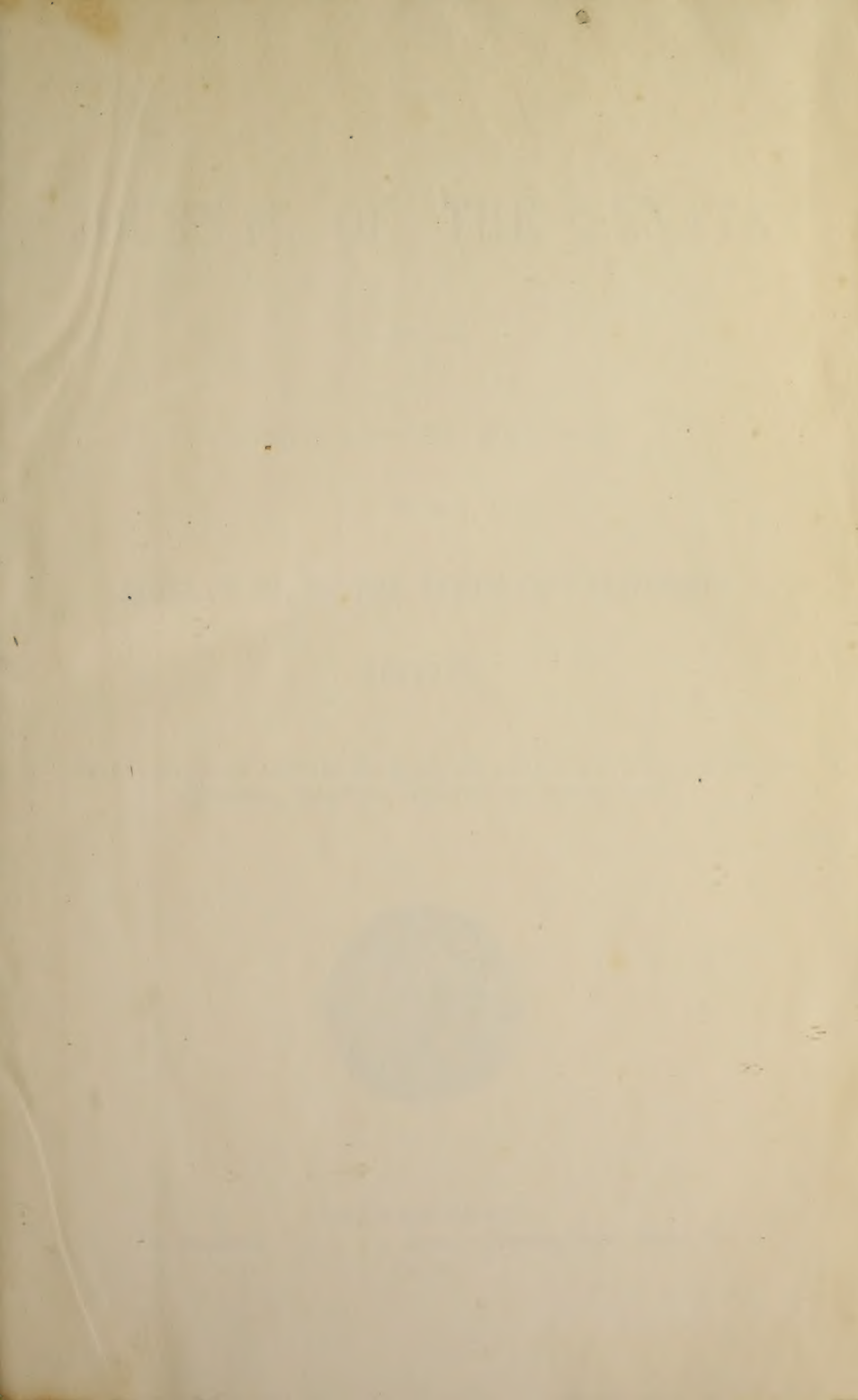


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THE
JOURNAL OF THE SENATE

DURING THE
THIRTY-FIRST SESSION

OF THE
LEGISLATURE OF THE STATE OF CALIFORNIA,
1895.

BEGAN ON MONDAY, JANUARY SEVENTH, AND ENDED ON SATURDAY, MARCH
SIXTEENTH, EIGHTEEN HUNDRED AND NINETY-FIVE.



SACRAMENTO:
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1895.

CALIFORNIA LEGISLATURE—SENATE.

THIRTY-FIRST SESSION.

IN SENATE.

SENATE CHAMBER,
Monday, January 7, 1895. }

At twelve o'clock M., the Senate was called to order by Lieutenant-Governor J. B. Reddick, President of the Senate.

ROLL CALLS.

By direction of the President, the Secretary called the roll of the hold-over Senators, and the following members answered to their names:

Senators Arms, Burke, Biggy, Dunn, Earl, Fay, Flint, Ford, Gesford, Hart, Hoyt, Langford, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, and Seymour.

The Secretary then called the roll of the Senators-elect, and the following answered to their names:

Second District—Lassen, Modoc, Shasta, Siskiyou, and Trinity: James Malcom Gleaves.

Fourth District—Butte and Tehama: Wanton Allen Shippee.

Sixth District—Sutter, Yolo, and Yuba: Eugene Aram.

Eighth District—Colusa, Glenn, and Mendocino: John Henry Seawell.

Tenth District—Sonoma: John Charles Holloway.

Twelfth District—Mariposa, Merced, Stanislaus, and Tuolumne: John Henry Shine.

Fourteenth District—Alpine, Amador, Calaveras, and Mono: Edward Converse Voorheis.

Sixteenth District—Fresno and Madera: Alfred Joel Pedlar.

Eighteenth District—San Francisco: Hugh Toner.

Twentieth District—San Francisco: Eugene Forster Bert.

Twenty-second District—San Francisco: Percy Lovaine Henderson.

Twenty-fourth District—San Francisco: Jeremiah Hill Mahoney.

Twenty-sixth District—Alameda: Eli Sherwin Denison.

Twenty-eighth District—Alameda: John Lyman Beard.

Thirtieth District—Santa Clara: Frederick Christian Franck.

Thirty-second District—Inyo, Kings, and Tulare: Reynold Linder.

Thirty-fourth District—Kern and San Luis Obispo: Sylvester Clark Smith.

Thirty-sixth District—Los Angeles: Cyrus Mortimer Simpson.

Thirty-eighth District—Los Angeles: Samuel Newell Androus.

Fortieth District—San Diego: David Little Withington.

Whole number of Senators present, thirty-nine.

The President announced that as the name of each Senator was called he come forward, present his certificate of election, sign the roll, and take the oath of office.

OATH OF OFFICE.

The Senators-elect present came forward, presented their certificates of election, signed the roll, and took the following oath of office:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of Senator to the best of my ability.

ADJOURNMENT.

At twelve o'clock and fifteen minutes P. M., the Senate, on motion of Senator Mahoney, adjourned to meet to-morrow at twelve o'clock M.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 8, 1895. }

The Senate met pursuant to adjournment.

President J. B. Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington.

Quorum present.

READING OF THE JOURNAL.

The Journal of yesterday was read and approved.

MOTION.

On motion of Senator McGowan, the Senate proceeded to the election of the statutory officers of the Senate.

ELECTION OF PRESIDENT PRO TEM. OF THE SENATE.

Nominations for President pro tem. being in order, Senator Ford nominated Thomas Flint, Jr., of San Benito.

There being no other nomination, the roll was called, with the following result:

For Flint—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—28.

The President then declared the Hon. Thomas Flint, Jr., duly elected President pro tem. of the Senate for the ensuing term.

ELECTION OF SECRETARY OF THE SENATE.

Nominations for Secretary being in order, Senator Franck nominated Mr. Frank J. Brandon.

There being no other nomination, the roll was called, with the following result:

For Brandon—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—31.

The President then declared Frank J. Brandon duly elected Secretary of the Senate.

ELECTION OF FIRST ASSISTANT SECRETARY OF THE SENATE.

Nominations for First Assistant Secretary of the Senate being in order, Senator Withington nominated Mr. E. J. Ensign.

There being no other nomination, the roll was called, with the following result:

For Ensign—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shippee, Simpson, Voorheis, and Withington—23.

The President then declared Mr. E. J. Ensign duly elected First Assistant Secretary of the Senate.

ELECTION OF SECOND ASSISTANT SECRETARY OF THE SENATE.

Nominations for Second Assistant Secretary being in order, Senator Flint nominated Mr. Rody Shaw.

There being no further nominations, the roll was called, with the following result:

For Shaw—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—25.

The President then declared Mr. Rody Shaw elected Second Assistant Secretary of the Senate.

ELECTION OF SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms of the Senate being in order, Senator Earl nominated Mr. Leslie F. Blackburn.

There being no other nomination, the roll was called, with the following result:

For Blackburn—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Voorheis, and Withington—25.

The President then declared Mr. Leslie F. Blackburn duly elected Sergeant-at-Arms of the Senate.

ELECTION OF FIRST ASSISTANT SERGEANT-AT-ARMS OF THE SENATE.

Nominations for First Assistant Sergeant-at-Arms being in order, Senator Mahoney nominated Mr. John J. O'Connor.

There being no further nominations, the roll was called, with the following result:

For O'Connor—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—25.

The President then declared Mr. John J. O'Connor duly elected First Assistant Sergeant-at-Arms of the Senate.

ELECTION OF MINUTE CLERK OF THE SENATE.

Nominations for Minute Clerk of the Senate being in order, Senator Pedlar nominated Mr. E. F. Mitchell.

There being no other nomination, the roll was called, with the following result:

For Mitchell—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—27.

The President then declared Mr. E. F. Mitchell duly elected Minute Clerk of the Senate.

ELECTION OF JOURNAL CLERK OF THE SENATE.

Nominations for Journal Clerk of the Senate being in order, Senator Gleaves nominated Mr. Theodore A. Simpson.

There being no other nomination, the roll was called, with the following result:

For Simpson—Senators Aram, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.

The President then declared Mr. Theodore A. Simpson duly elected Journal Clerk of the Senate.

ELECTION OF ENROLLING CLERK OF THE SENATE.

Nominations for Enrolling Clerk of the Senate being in order, Senator Beard nominated Mr. J. H. Dungan.

There being no other nomination, the roll was called, with the following result:

For Dungan—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

The President then declared Mr. J. H. Dungan duly elected Enrolling Clerk of the Senate.

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk of the Senate being in order, Senator Shippee nominated Mr. C. R. Mayhew.

There being no other nomination, the roll was called, with the following result:

For Mayhew—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—26.

The President then declared Mr. C. R. Mayhew duly elected Engrossing Clerk of the Senate.

OATH OF OFFICE.

Senator Flint came forward, was duly sworn in as President pro tem. of the Senate, and subscribed to the following oath of office:

I do swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of President pro tem. of the Senate, according to the best of my ability. So help me God.

President pro tem. Flint in the chair.

APPOINTMENT OF PAGES AND PORTERS.

The President pro tem. of the Senate announced the following as his appointees for Pages and Porters of the Senate:

Pages—H. B. Androus, Frank Boek, Ray McFarland, Chas. Orr, and Geo. Berger.

Porters—Andrew Walton, Henry Brown, and A. Grubbs.

President Reddick in the chair.

ELECTION OF POSTMISTRESS.

Nominations for Postmistress of the Senate being in order, Senator Denison nominated Miss Kitty McHugh.

There being no other nomination, the roll was called, with the following result:

For McHugh—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—25.

The President then declared Miss Kitty McHugh duly elected Postmistress of the Senate.

ELECTION OF ASSISTANT POSTMISTRESS.

Nominations for Assistant Postmistress of the Senate being in order, Senator Hart nominated Mrs. Annie L. Blanchard.

There being no other nomination, the roll was called, with the following result:

For Blanchard—Senators Aram, Androus, Beard, Bert, Denison, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—25.

The President then declared Mrs. Annie L. Blanchard duly elected Assistant Postmistress of the Senate.

OATH OF OFFICE.

The following officers-elect of the Senate came forward and were sworn in, and subscribed to the oath of office:

Secretary of Senate.....	Frank J. Brandon.
First Assistant Secretary of Senate.....	E. J. Ensign.
Second Assistant Secretary of Senate.....	Rody Shaw.
Sergeant-at-Arms.....	Leslie F. Blackburn.
First Assistant Sergeant-at-Arms.....	John J. O'Connor.
Minute Clerk.....	E. F. Mitchell.
Enrolling Clerk.....	J. H. Dungan.
Engrossing Clerk.....	C. R. Mayhew.
Assistant Postmistress.....	Mrs. Annie L. Blanchard.
Pages.....	H. B. Androus, Frank Boek, Ray McFarland, Charles Orr, and George Berger.
Porters.....	Andrew Walton, Henry Brown, and A. Grubbs.

RESOLUTIONS.

Senator Voorheis presented the following resolution, and moved its adoption:

Resolved, That the Secretary of the Senate be directed to notify the Assembly that the Senate was organized on Tuesday, 8th January, 1895, and is ready to proceed to business with the following officers:

President pro tem.....	Thos. Flint, Jr.
Secretary of the Senate.....	F. J. Brandon.
First Assistant Secretary of the Senate.....	E. J. Ensign.
Second Assistant Secretary of the Senate.....	Rody Shaw.
Sergeant-at-Arms.....	Leslie F. Blackburn.
First Assistant Sergeant-at-Arms.....	John J. O'Connor.
Minute Clerk.....	E. F. Mitchell.
Journal Clerk.....	Theodore A. Simpson.
Enrolling Clerk.....	J. H. Dungan.
Engrossing Clerk.....	C. R. Mayhew.
Postmistress.....	Miss Kitty McHugh.
Assistant Postmistress.....	Mrs. Annie L. Blanchard.
Pages.....	H. B. Androus, Frank Boek, Ray McFarland, Charles Orr, and George Berger.
Porters.....	Andrew Walton, Henry Brown, and A. Grubbs.

Adopted.

Senator Voorheis presented the following resolution, and moved its adoption:

Resolved, That the President of the Senate appoint a committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Adopted.

Senator Seawell presented the following resolution, and moved its adoption:

Resolved, That the Senate, the Assembly concurring, hereby agrees to meet in Joint Convention at two o'clock P. M. this day, for the purpose of opening and publishing the election returns for Governor.

MOTION.

Senator Voorheis moved that the resolution be temporarily laid upon the table.

The roll was called and the motion to lay on the table carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—Senators Arms, Biggy, Burke, Dunn, Fay, Gesford, Henderson, Langford, Martin, Mathews, McAllister, McGowan, Mitchell, Seawell, Shine, and Toner—16.

RESOLUTION.

By Senator Hart:

Resolved, That Rev. G. A. Ottmann be and he is hereby appointed Chaplain of the Senate, at a per diem of five dollars, payable out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—29.
NOES—None.

APPOINTMENT OF COMMITTEE.

The President appointed as the committee to notify the Governor of the organization of the Senate, Senators Voorheis, Ford, and Mathews.

ADJOURNMENT.

At one o'clock and five minutes P. M., on motion of Senator Ford, the Senate adjourned until ten o'clock A. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 9, 1895. }

The Senate met pursuant to adjournment.

President J. B. Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal Senator Orr moved that the further reading of the Journal be dispensed with.

So ordered.

REPORT OF SPECIAL COMMITTEE.

Senator Voorheis, from the committee appointed to wait upon the Governor, reported that the committee had carried out the request of the Senate, and the committee was thereupon discharged.

LEAVE OF ABSENCE.

Senator McGowan was granted leave of absence for the day, on motion of Senator Earl.

OATH OF OFFICE.

Miss Kitty McHugh, Postmistress-elect of the Senate, came forward and was sworn in, and subscribed to the oath of office.

RESOLUTIONS.

Senator Voorheis presented the following resolution, and moved its adoption:

Resolved, That the Controller be and hereby is directed to deliver to the Sergeant-at-Arms or his Clerk, all the warrants of the members of this Senate, and the officers and attachés thereof, taking his receipt therefor.

Adopted.

By Senator Aram:

Resolved, That the Secretary of State be and he is hereby authorized to purchase, and pay for out of the fund for contingent expenses of the Senate, forty-five copies of the latest pocket edition of the Constitution (Henning's), Codes, and Statutes of the State of California, and deliver the same to the Secretary of the Senate for the use of Senators and the Secretary of the Senate.

Adopted.

CONCURRENT RESOLUTION.

By Senator Seawell:

Resolved, That the Senate, the Assembly concurring, hereby agrees to meet in Joint Convention at two o'clock P. M. to-morrow for the purpose of opening and publishing the election returns for Governor.

MOTION.

Senator Orr moved that the resolution be laid upon the table.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Voorheis, and Withington—22.

NOES—Senators Arms, Biggy, Burke, Dunn, Fay, Gesford, Henderson, Holloway, Langford, Martin, Mathews, McAllister, Mitchell, Seawell, Shippee, Toner, and Whitehurst—17.

RESOLUTIONS.

By Senator Voorheis:

Resolved, That Edward Casey be and he is hereby appointed First Assistant Bookkeeper to the Sergeant-at-Arms, at a per diem of eight dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Whereupon the President declared Edward Casey duly elected First Assistant Bookkeeper to the Sergeant-at-Arms of the Senate.

By Senator Beard:

Resolved, That Charles A. Marston be and he is hereby appointed Second Assistant Enrolling Clerk, at the same per diem as Enrolling Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Linder, Mahoney, Martin, Orr, Pedlar, Seymour, Shippee, Simpson, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared Charles A. Marston duly elected Assistant Enrolling Clerk of the Senate.

By Senator Simpson:

Resolved, That J. M. Gleaves, Jr., be and he is hereby appointed First Assistant Enrolling Clerk, at the same per diem as Enrolling Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Seymour, Shippee, Simpson, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared J. M. Gleaves, Jr., duly elected Assistant Enrolling Clerk of the Senate.

By Senator Hart:

Resolved, That J. N. Larkin be and he is hereby appointed Assistant Journal Clerk, at the same per diem as Journal Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared J. N. Larkin duly elected Assistant Journal Clerk of the Senate.

By Senator Shine:

Resolved, That C. C. Ortega be and he is hereby appointed Assistant Journal Clerk, at the same per diem as Journal Clerk, the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—24.

NOES—None.

Whereupon the President declared C. C. Ortega duly elected Assistant Journal Clerk of the Senate.

By Senator Holloway:

Resolved, That H. H. McKoon be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as Enrolling Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared H. H. McKoon duly elected Assistant Enrolling Clerk of the Senate.

By Senator Hoyt:

Resolved, That W. A. Mills and H. D. Lazzell be and they are hereby appointed Ushers to the Senate, at a per diem of five dollars each, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Linder, Mahoney, Martin, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24

NOES—None.

Whereupon the President declared W. A. Mills and H. D. Lazzell duly elected Ushers of the Senate.

By Senator Seymour:

Resolved, That W. R. Porter be and he is hereby appointed Second Assistant Minute Clerk, at the same per diem as Minute Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared W. R. Porter duly elected Second Assistant Minute Clerk of the Senate.

By Senator Aram:

Resolved, That Mrs. Florence True be and she is hereby appointed Assistant Engrossing Clerk, at the same per diem as Engrossing Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared Mrs. Florence True duly elected Assistant Engrossing Clerk of the Senate.

By Senator Denison:

Resolved, That C. S. MacMullan be and he is hereby appointed First Assistant Minute Clerk, at the same per diem as Minute Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared C. S. MacMullan duly elected First Assistant Minute Clerk of the Senate.

By Senator Androus:

Resolved, That G. L. Henry be and he is hereby appointed Assistant Engrossing Clerk at the same per diem as Engrossing Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—22.

NOES—None.

Whereupon the President declared G. L. Henry duly elected Assistant Engrossing Clerk of the Senate.

By Senator Bert:

Resolved, That Mrs. M. J. Rose be and she is hereby appointed Assistant Engrossing Clerk of the Senate, at the same per diem as Engrossing Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared Mrs. M. J. Rose duly elected Assistant Engrossing Clerk of the Senate.

By Senator Franck:

Resolved, That George Scott be and he is hereby appointed Watchman of the Senate, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Henderson, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared George Scott duly elected Watchman of the Senate.

By Senator Shine:

Resolved, That S. W. Metcalf, Fred Werner, H. H. Squire, R. Farrell, W. H. Cox, Burt Morse, and A. A. Whipple be and they are hereby appointed Watchmen of the Senate, at a per diem of four dollars each, the same to be paid out of the fund for the contingent expenses of the Senate.

Senator Burke moved to strike out the first five names in the resolution.

Lost.

The question being on the adoption of the original resolution, the same was adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—21.

NOES—Senators Burke, McAllister, Seawell, Whitehurst, and Withington—5.

Whereupon the President declared S. W. Metcalf, Fred Werner, H. H. Squire, R. Farrell, W. H. Cox, Burt Morse, and A. A. Whipple duly elected Watchmen of the Senate.

By Senator Smith:

Resolved, That S. A. Williams be and he is hereby appointed Assistant Journal Clerk, at the same per diem as Journal Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—23.
NOES—None.

Whereupon the President declared S. A. Williams duly elected Assistant Journal Clerk of the Senate.

By Senator Aram:

Resolved, That Geo. T. Brown be and he is hereby appointed Gatekeeper of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Flint, Ford, Franck, Hart, Holloway, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—21.
NOES—None.

Whereupon the President declared George T. Brown duly elected Gatekeeper of the Senate.

By Senator Linder:

Resolved, That W. J. Tuohy be and he is hereby appointed Second Assistant Bookkeeper to the Sergeant-at-Arms, at a per diem of eight dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.
NOES—None.

Whereupon the President declared W. J. Tuohy duly elected Second Assistant Bookkeeper to the Sergeant-at-Arms of the Senate.

By Senator Simpson:

Resolved, That Charles Kean be and he is hereby appointed Messenger to State Printer, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Linder, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—22.
NOES—None.

Whereupon the President declared Charles Kean duly elected Messenger of the Senate to the State Printer.

By Senator Smith:

Resolved, That C. A. Fuller be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as Enrolling Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—25.
NOES—None.

Whereupon the President declared C. A. Fuller duly elected Assistant Enrolling Clerk of the Senate.

By Senator Androus:

Resolved, that U. E. White be and he is hereby appointed History Clerk, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared U. E. White duly elected History Clerk of the Senate.

By Senator Hoyt:

Resolved, That Charles Newman be and he is hereby appointed Assistant Sergeant-at-Arms, at a per diem of six dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.

NOES—None.

Whereupon the President declared Charles Newman duly elected Assistant Sergeant-at-Arms of the Senate.

By Senator Orr:

Resolved, That C. J. Murphy be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as Enrolling Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, and Voorheis—22.

NOES—None.

Whereupon the President declared C. J. Murphy duly elected Assistant Enrolling Clerk of the Senate.

By Senator Seymour:

Resolved, That Miss Maggie Harrison be and she is hereby appointed Assistant Engrossing Clerk, at the same per diem as Engrossing Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Linder, Mahoney, Orr, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—21.

NOES—None.

Whereupon the President declared Miss Maggie Harrison duly elected Assistant Engrossing Clerk of the Senate.

By Senator Bert:

Resolved, That S. S. Simon, L. Walthall, and John Scully be and they are hereby appointed Porters of the Senate, at a per diem of four dollars each, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.
NOES—None.

Whereupon the President declared S. S. Simon, L. Walthall, and John Scully duly elected Porters of the Senate.

By Senator Ford:

Resolved, That Miss Orea Fairchild be and she is hereby appointed Assistant Journal Clerk, at the same per diem as the Journal Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, and Voorheis—22.
NOES—None.

Whereupon the President declared Miss Orea Fairchild duly elected Assistant Journal Clerk of the Senate.

By Senator Ford:

Resolved, That Albert Hart be and he is hereby appointed Assistant Engrossing Clerk, at the same per diem as Engrossing Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—23.
NOES—None.

Whereupon the President declared Albert Hart duly elected Assistant Engrossing Clerk of the Senate.

By Senator Ford:

Resolved, That Willard P. Calkins be and he is hereby appointed Bill Clerk, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.
NOES—None.

Whereupon the President declared W. P. Calkins duly elected Bill Clerk of the Senate.

By Senator Ford:

Resolved, That I. N. Terrill and Phil. Tresize be and they are hereby appointed Gatekeepers of the Senate, at a per diem of four dollars each, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.
NOES—None.

Whereupon the President declared I. N. Terrill and Phil. Tresize duly elected Gatekeepers of the Senate.

By Senator Ford:

Resolved, That E. L. Veirs, Harry Kent, Jos. Gardella, Wm. Martin, Wm. Barron, Waldo Hanscom, and Truman D. Thorp be and they are hereby appointed Pages of the Senate, at a per diem of three dollars each, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—21.

NOES—None.

Whereupon the President declared E. L. Veirs, Harry Kent, Jos. Gardella, Wm. Martin, Wm. Barron, Waldo Hanscom, and Truman D. Thorp duly elected Pages of the Senate.

By Senator Mahoney:

Resolved, That Ray G. Falk be and he is hereby appointed Assistant Minute Clerk, at the same per diem as Minute Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—23.

NOES—None.

Whereupon the President declared Ray G. Falk duly elected Assistant Minute Clerk of the Senate.

By Senator Mahoney:

Resolved, That M. J. Flynn be and he is hereby appointed Doorkeeper of the Senate, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—22.

NOES—None.

Whereupon the President declared M. J. Flynn duly elected Doorkeeper of the Senate.

By Senator Earl:

Resolved, That Emil Klein be and he is hereby appointed Mailing and Folding Clerk, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared Emil Klein duly elected Mailing and Folding Clerk of the Senate.

By Senator Earl:

Resolved, That A. S. Baker be and he is hereby appointed Second Assistant Bill Clerk, at the same per diem as Bill Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.

NOES—None.

Whereupon the President declared A. S. Baker duly elected Second Assistant Bill Clerk of the Senate.

By Senator Earl:

Resolved, That C. L. Pardee be and he is hereby appointed Third Assistant Secretary, at the same per diem as the Secretary, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared C. L. Pardee duly elected Third Assistant Secretary of the Senate.

By Senator Earl:

Resolved, That W. W. Taylor be and he is hereby appointed Assistant Bill Clerk, at the same per diem as Bill Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, and Voorheis—22.

NOES—None.

Whereupon the President declared W. W. Taylor duly elected Assistant Bill Clerk of the Senate.

By Senator Earl:

Resolved, That George A. Leon be and he is hereby appointed Assistant Register and File Clerk, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Denison, Earl, Flint, Ford, Gleaves, Hart, Holloway, Hoyt, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—21.

NOES—None.

Whereupon the President declared George A. Leon duly elected Assistant Register and File Clerk of the Senate.

By Senator Hart:

Resolved, That Mrs. H. B. Weller be and she is hereby appointed Janitress of the Senate, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—21.

NOES—None.

Whereupon the President declared Mrs. H. B. Weller duly elected Janitress of the Senate.

By Senator Voorheis:

Resolved, That Charles B. Edwards be and he is hereby appointed Porter for the cloak and hat room, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—22.

NOES—None.

Whereupon the President declared Charles B. Edwards duly elected Porter of the cloak and hat room of the Senate.

By Senator Denison:

Resolved, That Robert Hanford be and he is hereby appointed Mail Carrier of the Senate, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Withington—21.

NOES—None.

Whereupon the President declared Robert Hanford duly elected Mail Carrier of the Senate.

By Senator Androus:

Resolved, That J. Lane McComas be and he is hereby appointed Register and File Clerk, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared J. L. McComas duly elected Register and File Clerk of the Senate.

By Senator Seymour:

Resolved, That Wm. Sampson be and he is hereby appointed Messenger to the Sergeant-at-Arms, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—24.

NOES—None.

Whereupon the President declared Wm. Sampson duly elected Messenger to the Sergeant-at-Arms of the Senate.

By Senator Orr:

Resolved, That Merton Barnes be and he is hereby appointed Assistant History Clerk, at the same per diem as History Clerk, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—23.

NOES—None.

Whereupon the President declared Merton Barnes duly elected Assistant History Clerk of the Senate.

By Senator Hart:

Resolved, That each member of the Senate be and he is hereby allowed twenty-five (\$25) dollars for contingent expenses, as provided by the Constitution, payable out of the appropriation for the contingent expenses of the Senate; and that the aggregate amount of the value of stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Orr, Pedlar, Seawell, Shine, Simpson, Smith, Voorheis, and Withington—26.

NOES—None.

MOTION.

On motion of Senator Voorheis, the consideration of the Governor's message was made the special order for two o'clock P. M. this day.

RECESS.

At eleven o'clock and forty-five minutes A. M., on motion of Senator Hart, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

OATH OF OFFICE.

Several of the officers-elect of the Senate came forward and were sworn, and subscribed to the oath of office.

SPECIAL ORDER.

Consideration of Governor's message.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 9, 1895.

To the Senate of the State of California:

I herewith transmit to your honorable body my second biennial message, with accompanying documents; also report of the State Board of Capitol Commissioners; also report of the Board of Sutter's Fort Trustees. There being but one copy of said report, I respectfully request that you transmit the same to the Assembly.

H. H. MARKHAM, Governor.

MOTION.

Senator Ford moved that the second biennial message of Governor H. H. Markham be printed in full in the Journal, and that one thousand additional copies of said message be printed. Also, that the report of the Board of Sutter's Fort Trustees be transmitted to the Assembly, as per request of the Governor.

So ordered.

SECOND BIENNIAL MESSAGE OF GOVERNOR H. H. MARKHAM.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, January 7, 1895.

To the Senate and Assembly of the State of California:

GENTLEMEN: In accordance with constitutional requirements, I herewith submit my second biennial message as Executive of the State, with such recommendations as experience and judgment have suggested as beneficial to the best interests and future advancement of the commonwealth.

During the past four years death has removed from our midst five prominent citizens, who have each occupied the position of Chief Executive of this State. I will name them in their order: Hon. Leland Stanford, Hon. Frederick F. Low, Hon. Newton Booth, Hon. George Stoneman, and Hon. R. W. Waterman. Their memories should be honored and respected, not only for what they were able to accomplish for our people, but for their loyalty and fidelity to the interests of our State. Before leaving this subject I desire to extend in this official manner my congratulations to the State's first Governor, Hon. Peter H. Burnett, whom Providence has spared to witness the marvelous development of California, so ably introduced into the sisterhood of States by him. I would suggest that some suitable resolution expressive of this fact be spread upon your minutes and forwarded to him. It will cheer and brighten the pathway of his declining years, and stimulate our youth to better deeds and a feeling that their real worth will never be forgotten.

On October 30th of last year Hon. E. G. Waite, Secretary of State, died at his home in Alameda. At the request of his family he was laid to rest in the State Burial Ground. The funeral was of a public character, and in recognition of his public services and in accordance with precedents, I recommend that the expense attending his funeral be paid by the State. The claim for that purpose has been recognized by the State Board of Examiners, and should be allowed.

Two years ago I prepared my first biennial message to the Legislature, and in many instances the leading papers of our State published it in full. In this message I shall strive to be as candid. You are at liberty to receive it for what it may be worth, for it is for your benefit. Please bear in mind that four years of constant vigilance is the price paid by me for this information and these suggestions, and that no man living can investigate and verify them during the brief space of time allotted to the average Legislature, in addition to the other pressing demands. Therefore, I shall endeavor to be doubly sure that what I say is correct.

No Governor could have been more kindly treated than I during the last two Legislatures, which encourages me to assist you as far as possible with reliable data. While I regret the fact that many very important subjects were not acted upon, I fully realize that it was due to lack of systematic organization as well as time in which to intelligently handle those important subjects. From all directions come demands for economy and reform. Valuations are decreasing while demands for State aid are increasing. Nevertheless, I shall faithfully point out to you our actual needs as the law now stands, and at the close of this message will give you a candid résumé of our true situation, which must guide your action whatever the results may be.

In view of what has been said I would suggest the propriety of referring this message to a committee, who can segregate and refer the different subjects to appropriate sub-committees with instructions. While this method has not been the rule in our Legislature, it has been adopted in other States, resulting beneficially, and I see no good reason why its adoption here will not prove profitable, as bringing the experience of the Executive into closer relations with the Legislature, which has a right to expect from him all the information and assistance at his command. While it may be an innovation, it will prove practical, as it is the only way that so many important subjects can be considered in so brief a time as that allotted you for your deliberations.

California, like all the States of the Union, has suffered from the financial and business depression of the last two years. In addition to this, the lack of winter rains caused partial crop failure in many sections of the State. Owing to the diversity of our climate total failure of crops is an impossibility. The fruit crop has been uniformly abundant, but the markets indifferent. The timely and abundant rains of this year should insure good crops and tend to restore to us our normal prosperity. While stagnation prevails in some localities, in others business is almost as active as ever. Be assured that on returning prosperity to this nation at large, California will be the first to respond. There has not been a time during the last two years that *bona fide* resident laboring men of the State could not have found employment, had it not been for the rush of unemployed to this State from other localities, who entirely displaced them. While we invite all classes, the tramp and transient laborer are not needed and should in no manner be encouraged. It was most clearly demonstrated that three fourths of the industrial army of last year were from that class, and they should not be encouraged to come.

BIENNIAL REPORTS.

It is gratifying to note the marked improvement in the biennial reports of the several State officers and Boards of Trustees of the various institutions as compared with those made in past years. Condensation and not expansion is now the rule. The result has not only been successful financially, but has been the means of causing these reports to be sought after and read. Many of them are replete with valuable information touching the varied interests of the State, and should be, as they now are, couched in language plain, simple, and clear.

So many have performed their work well that it would be invidious to make selection for comparison. There are a few, however, notwithstanding my suggestion to the last Legislature on this subject, who have evidently forgotten the enormous cost of printing their productions, notably the "Commissioner of Labor Statistics." This report evidently shows great painstaking in its compilation. It contains 282 pages of solid legal-cap type-written matter and 93 pages of large table sheets of statistics. Examination of its pages evinces laborious research; but the question arises, is it of a character worthy the cost of publication? It has just reached me at a time when I am least able to give it the intelligent consideration which probably it deserves. Too late to place it in the hands of the printer, it could hardly be expected that I should read it in manuscript. This is to be regretted, as failing to see the necessity for this office, I might have found within its pages reasons for its continuance had the report been in proper form for critical examination. The manuscript is in possession of the Board of Examiners, and if desired, can by your order be transmitted to the State Printer for publication.

STATE INSTITUTIONS.

I have made it a rule during my incumbency in office to personally visit and inspect the several institutions directly under control and management of the State. In each instance, visitations have been made without warning, and it is gratifying to state that they are all conducted in every way worthy of commendation. Expenses have been curtailed within the lowest estimates, and while parsimony has received no encouragement, extravagance has been checked. In my appointment of trustees, I have endeavored to place only those in charge whose character and standing were beyond question, and whose business capacity insured economical administration, and the results have fully justified my selection.

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS.

For a proper understanding as to the financial management of our public institutions, it is absolutely necessary that a systematic and uniform method of keeping accounts should be established, particularly so with institutions of a like character, such as our Insane Asylums, State Prisons, etc. The irregularity at present existing in this direction leads to confusion, and a charge which is rightly understood by the institution making it does not in many instances appear so plainly to those whose duty it is to pass upon it. The Board of Examiners, the auditing board of the State, should be empowered by statute to enforce such action, and cause every State institution to conduct its monetary transactions on a uniform basis.

DEAF, DUMB, AND BLIND INSTITUTION.

This institution is a credit to our State, its management worthy of all praise, and the purpose of its creation completely carried out. No one can visit it without recognizing and acknowledging its benefits. It certainly is gratifying to me to speak so highly of

its usefulness and management, but it is because I believe it is merited. I have made two visits to this establishment and carefully inspected its workings and financial conduct.

The last Legislature appropriated \$75,000 for an additional building. It is one of the most complete and economical erected during my administration. Its future wants will be found in the report of its Board of Directors.

ADULT BLIND.

I have made two visits to this institution. Both were somewhat limited, yet I believe that I have a fair knowledge of its work and methods. There are about one hundred and twelve inmates engaged in the manufacture of brooms. The home is under the supervision of Mr. Joseph Sanders, a blind man, formerly in the institution as a teacher. The wisdom of placing a sightless man in so responsible a position has been the subject of much controversy, and a division of the Board on that subject has been the result—three being in favor of retaining Mr. Sanders and two emphatically opposed. At my request a legislative committee of investigation was appointed, and its report exonerated Mr. Sanders and those supporting him for the position.

This has been an unfortunate disputation, and, as far as I have been able to learn, more or less personal and local in its effect. Personally, I believe Mr. Sanders to be a remarkably efficient man, considering his infirmity, and one deeply interested in the success of this institution. The mere question of financial success should not supersede the charitable objects for which it was instituted. It has proven nearly self-supporting, and, I believe, will be entirely so, under favorable auspices.

A demand of \$10,000 extra for maintenance will be asked, together with sufficient money to purchase additional ground, both of which should be carefully considered. The latter is imperative. The fact that these unfortunates are striving to become self-supporting, warrants encouragement at the hands of the State, and it is to be hoped that proper assistance will be granted them.

HOME FOR FEEBLE-MINDED CHILDREN.

This is another of our charitable institutions of which the State may justly feel proud. One can scarcely conceive what judicious training, thoughtful experience, and unselfish, patient love can accomplish with such unfortunates. A visit to this home was made, and it is with pleasure I commend the management under Dr. Osborne and his untiring and faithful wife. Their efforts in behalf of the deplorable inmates are worthy of more kind words than I can express in this brief statement.

PRESTON SCHOOL OF INDUSTRY, AND WHITTIER STATE SCHOOL.

The Preston School was formally opened for work on July 1, 1894. Its objects embrace about the same class of work as Whittier. The home is located at a most attractive spot, and is susceptible of being made one of the most beautiful in the State. The Board has appointed as Superintendent Mr. E. Carl Bank, a man educated to that work, and is in every way a most fortunate selection. His report to the Trustees is brief and concise, and contains several practical ideas. His suggestion as to the amendment of the law is pertinent and should not be neglected. (See page 10 of report.) I most earnestly urge that you read the same. The appropriations asked for are necessary and should be considered. The members of this Board are worthy of confidence, and their interest in the success of the school commendable. I deem the work of these two schools of the utmost importance to the interests of our people.

The Whittier School has proved its usefulness. Certainly its educational management has shown what judicious training can accomplish with such a class of offenders, who, if confined in our State prisons, would never offer promise of reformation. The last Legislature contemplated remedying a defect in the organic law, but evidently erred in its construction. The report of the Board will fully advise you thereof. It is to be regretted that so efficient a Superintendent as Dr. Walter Lindley could not be retained, for he had proved himself the natural friend of those committed to this institution. The Board was fortunate in procuring so able a successor. This institution is in efficient hands, who have managed its affairs with skill and care.

INSANE ASYLUMS.

All of these asylums are under able management, and thorough inspection and investigation satisfy me that they are in better condition than at any time since their organization. The expense to the State of supporting these establishments is certainly very great, and the burden an onerous one on the taxpayers. I do not see how this can be remedied, except by either a diminution of the force employed or a reduction in the pay of the employés. I am not prepared to say that either is desirable or warranted. The expense of maintenance is economically administered, and but little saving, if any, could be accomplished in that direction.

STATE PRISONS.

I feel warranted in saying that these institutions have never been more acceptably managed than during the last four years, and equal credit is due to all connected with them, and I believe that every effort has been put forth to subserve the interests of the State.

The report of the Board, which also contains the reports of Wardens Hale and Aull, is replete with valuable suggestions, and should be most carefully considered. The suggestion as to consolidating the two prisons at Folsom is highly important. San Quentin Prison is old, and if continued, should at once be rebuilt. The cells so long in use are naturally saturated with all the poisons incident to their use. Humanity at least demands something more modern. I am informed that the entire plant can be transferred to Folsom at a cost not exceeding \$150,000, and the sale of the land would probably more than equal the cost. With the extra expense at San Quentin for power, lights, and water alone, will pay for this outlay in five years, to say nothing of the expense of two managements instead of one. At Folsom there is standing idle a water power unexcelled in the State, and by the purchase of a few more acres of land, all the farm products necessary for the prison can be produced. These prisons should certainly be made self-supporting, if not profitable. We have so many dependents to care for, why not permit the criminal class to care for themselves, as well as help to care for others? Director DePue's suggestion on page 7 of the report, as to the classification and separation of the hardened from the lesser criminal, should be carried out. The Board has full power now, and no legislation is needed for this, when proper accommodations are furnished.

NORMAL SCHOOLS.

The reports of the three Normal Schools show the excellent condition which they are in, and the statistics exhibited prove their utility. Every year increases their standard of proficiency, which is manifested by the advanced superiority of the teachers of our public schools who have graduated from them.

The liberality of the State toward extending educational facilities is unequalled by any of our sister States, and she has received great commendation from those whose lives and abilities have been spent in the cause of education.

An appropriation of \$40,000 was made by the last Legislature for an additional building at San José, which renders that institution complete and sufficient for all practicable purposes for many years to come. A like appropriation, and for a similar purpose, of \$75,000, was made for the Normal School at Los Angeles, and its wants are now well supplied.

The financial management of these schools, through their several boards of trustees, merits approval, and their economic administration entitles them to praise.

STATE UNIVERSITY.

I desire to call your attention to the pressing needs of this great educational institution, and I know of no more effective way of accomplishing it than to quote what Dr. Bonté and President Kellogg have just stated to me.

"These very exigent demands come to us, as will be seen, from the scientific side of the University, and the University cannot keep pace with the growth of science, particularly applied science, without a knowledge of which our people will fail to see the use of a University and send their sons elsewhere, unless we are provided with the means of instruction.

"The Regents and Faculties have long given anxious thought to these matters, and the Finance Committee eighteen months ago formulated a report, after four years of discussion, which was submitted to and approved by the Board of Regents. It is as follows:

"The fact is, the University, in response to a great public demand, is expanding in every direction, and the appeal from almost every department of the University for more room and greater facilities is emphatic and urgent.

"The construction of a *large building*, that will afford room for the educational departments, now cramped and crowded in unsuitable quarters; that will furnish *space for the classification and display* of the very valuable collections now concealed in boxes or stowed away in lockers, and which should be placed in a properly arranged museum; that will permit the shelving of more books and supply room for study and reading in connection with the increasing library; that will enable a *large audience* to be seated in a well-lighted, warmed, and ventilated auditorium; and in which suitable *fire-proof vaults* can be constructed for the preservation of the papers and archives of the State University, now scattered in insecure places in the various buildings; and where also may be provided suitable and contiguous rooms for the administrative officers of the University—such a building should be erected without unnecessary delay as an economical measure. And as it will cost probably \$500,000, this sum should be asked for from the Legislature for this purpose, to be expended in two years; and relieved of this strain the income of the University would suffice to carry on the current work."

"Further anxious discussion since the date referred to has confirmed the conclusions reached and expressed in the foregoing report.

"The professional colleges located in San Francisco are equally embarrassed for lack of accommodations. Two Legislatures have approved of their wishes, one passing a bill appropriating \$80,000 for the use of the Medical Department, and the second passing a bill appropriating \$250,000 for the construction of a building for the joint use of all of said colleges.

"Unfortunately the exigencies of the times, in the opinion of the Executive of the State, required a veto, and the appropriations were lost to the University. And now these wants are growing in degree of momentum which can no longer be resisted.

"The University at Berkeley needs an appropriation of \$500,000.

"The professional colleges in San Francisco need \$250,000.

"We desire to lay before your Excellency the facts. We make no argument, except to say that we must receive aid, or fail to do the work put upon us by the State."

A careful investigation will demonstrate to your honorable bodies that it is a true representation of their needs, and it is put none too strongly. The University is under excellent business management, and it is to be hoped that due regard will be paid to their requests.

In addition to the ordinary duties devolving on this institution, the last Legislature abolished the State Board of Forestry, transferring its duties and labors to the University. In a letter addressed to me under date of December 8th ult., Dr. Bonté, Secretary of the University, says:

"I beg leave to submit the following suggestions:

"1. The Legislature should provide for the following deficiencies: An appropriation of \$915, allowed by the State Board of Examiners; a further appropriation of \$1,545, to continue the work from January 1, 1895, to July 1, 1895.

"2. The stations transferred to us are that at Chico and the one at Santa Monica. These will require an appropriation of \$10,000 for two years.

"3. An additional station should be established at Mt. Hamilton to cover the needs of similar altitudes throughout the State. This middle-mountain station is deemed of very great importance, and will cost \$5,000 for two years.

"Money enough should be provided to conduct the work properly, else it should be abandoned."

SECRETARY OF STATE.

The report of the Secretary of State is a full statement of what that efficient officer has done in the interest of the Capitol building.

I would call your attention to what is therein stated in reference to increased appropriations for postage and expressage. The demands on this office for printed matter and the continually increasing distribution of reports, statutes, legislative journals, etc., necessitate additional means to enable him to discharge the duties of the office enforced on him by law. I also recommend the passage of an Act creating "a revolving fund for the purchase of ballot paper." As the law now is, a direct appropriation is made for that purpose, and the amount required for each general election is a matter of guess-work and is invariably under the estimate. This leaves a deficiency, and with no time to contract for a supply, advantage is taken by dealers, and an enhanced price is the result. By permitting this official to use the money received from the sale of such paper in continued purchases as required, there would always be money on hand to enter the markets with a certainty of cash payments.

On the death of Mr. Waite I appointed Mr. Albert Hart, a gentleman well known in the State, and who has occupied many prominent and responsible positions.

CONTROLLER'S REPORT.

For a proper understanding of the financial condition of the State it is absolutely necessary you should carefully read this report. Without that knowledge which its contents reveal it is not possible to give intelligent consideration to the business management of the State's fiscal affairs. This report, in connection with that of the State Board of Examiners, is the most important of any which will be presented for your review and deliberation.

Particularly do I call your attention to the suggestions on page 9, as to annual reports of his office; pages 12 to 18, as to resources and per cent of receipts and expenditures. His judicious remarks on the exhaustion of the General Fund (page 18) but affirm what I have so often expressed, that you should familiarize its ideas for proper precaution in legislation. There should never be a deficiency in that fund, and if these intimations are acted upon there never will be. The cause of such exhaustion is the pernicious practice of making appropriations immediately available that should be compelled to await the levy and collection of the revenue to meet them, without interfering with the fixed charges of the State. Remove the cause and this baneful effect will disappear.

I also call your attention to his very clear and sensible remarks in the matter of the sale of property for delinquent taxes, to be found on page 26 of his report. I vetoed a bill emanating from the last Legislature on his statement of its effect on this subject. His opinions thereon are based on practical knowledge and should be read.

On page 33 he has given full expression on the question of estimate of expenditures, which I trust the Committees on Ways and Means and Finance will critically examine, for they have been most carefully considered. His honesty and intelligence in this respect have won my respect and confidence and should win yours.

As to the Commissioner of Public Works, mentioned on same page, permit me to say that the intention, as reported to me at the time of the approval of the bill creating the commission, was that the same should cease with this Legislature, and that its objects would be fully attained by being able to lay before your honorable bodies a feasible scheme for a systematic plan of reclamation that should be uniform in its effect, without further expense to the State at large.

The request made by this department for additional facilities in the matter of filing away the documents, vouchers, and other papers constantly and continuously accumulating, is one that is imperatively needed. Every labor-saving device should be allowed

all the officers, especially the Controller. The reasons given for this requirement are cogent, and I earnestly recommend an appropriation sufficiently ample to answer this most urgent necessity.

I cannot close my remarks without publicly acknowledging my thanks to Controller Colgan, his worthy deputy, and his efficient clerks for the promptness and readiness exhibited at all times in answering the calls of my department. I am aware I have very often trespassed on their patience, and tested their knowledge on matters pertaining to their respective positions, but I have never found them wanting in either.

STATE TREASURER.

There is little that I can suggest to you at this time, in reference to this office, that I did not say to the last Legislature. Treasurer McDonald has justly earned an enviable reputation in the discharge of his responsible duties. On pages 4 and 5 of his last report will be found his recommendations, and as they are concisely stated, I prefer that you read them in his own language. I respectfully ask their careful consideration.

SURVEYOR-GENERAL.

The report of this department is chiefly of a statistical character. But one recommendation is made, relating to foreclosure suits for delinquent interest on State lands. There is much force in the reasons given, and concurring in the opinion of the Surveyor-General, I think its importance warrants your attention.

ATTORNEY-GENERAL.

This report evidences a great increase of business in this department. Both civil and criminal dockets bear testimony to the labor imposed upon this officer, but he seems to have kept up with it. The question of the State's indebtedness for the payment of the Indian War bonds of 1851-52 is worthy your attention. Financially viewed, it is a serious matter. His remarks on "fishing in State waters" (page 21) and those on the "loan associations" (page 23) demand more than a passing notice. I fully concur in his views regarding the necessity for the passage of a uniform fee bill. This is a very important matter and demands legislation. The report as a whole evinces careful examination into the subjects treated.

I am of the opinion that this officer should be an appointed one. The legal adviser of the State's officials, and one of greatest importance to the Governor, should be filled by one in whom he could have the utmost confidence and upon whose judgment he could, with safety, rely. The best legal talent would then be called into requisition, which should be correspondingly remunerated. To make this change would require a constitutional amendment, which, if passed by you and adopted by the people, would not affect the tenure of the incumbent.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

The report of this able officer is replete with useful information, which demands consideration. No subject appeals more strongly to the American heart than does the progress of education, and our people never complain of the tax levied for its promotion. California may justly be proud of her public school system. When we examine the statistics of other and older States with a population rendering ours insignificant in comparison, we may well be astonished at the information that over six million dollars are annually spent in the support of our primary and grammar schools. Words fail to express any higher estimate of the intelligence and patriotism of our people.

Notwithstanding the generosity of the State in this direction, the report shows (see page 17) that over 63,000 children failed to take advantage of its liberality. Including this number are many under the school age, and consequently cannot accept its advantages. Still there are thousands who, growing up in ignorance and idleness, are but aiding the increase of criminals. A compulsory education law is imperatively needed. The States of New York and Ohio have excellent laws on this subject, and with some modifications might be made available here. Our present law has proven inoperative. I therefore earnestly recommend attention in this direction. Other suggestions are made in this report, which I commend for your deliberation.

SUPERINTENDENT OF PUBLIC PRINTING.

This office is now an elective one. I doubted the wisdom of making it such; but as no constitutional reasons existed for a veto, I gave my assent to the bill. The State was fortunate in the election of the honorable gentleman who will supervise its interests during the next four years, he having already given ample proof of his ability to manage so important and costly a department. He will now be held personally responsible for its economical management. The report of the Superintendent gives in detail the expenses attached to this establishment. You will see that the cost of printing for the forty-fourth fiscal year amounted to \$150,409 48, the Legislature of the thirtieth session alone costing \$67,574 93. The knowledge of this enormous expenditure may probably lead to retrenchment at your hands.

Another means of curtailment might be had were all the institutions which are self-

supporting required to pay, from their incomes, the cost of printing their own work. Each department, being then made directly responsible for its expenditures, would be more careful in its demands, and the saving to the State would be about \$15,000 per annum.

ADJUTANT-GENERAL.

From the Adjutant-General's report it will be observed that there are on the rolls of the National Guard of California 5,290 officers and men, which includes 325 officers and men of the Naval Battalion. As his report appears to have been prepared with much care, I would respectfully call your attention to it for the details pertaining to that department.

I cannot too highly commend General Allen's faithful attention to his department, and especially for his watchful care of the funds placed at his disposal.

At my request, he, on assuming office, took an inventory of all the State property, as far as it was possible to do so, and I believe he will be able to leave to his successor an intelligent account of its disposition since that time. It was found in disorder when he came in, and I trust great improvement in that regard will be observed. I have in all ordinary matters pertaining to that department relied implicitly upon his suggestions, opinions, etc. His report will furnish you with ample information regarding the operations of the Guard during his term of office, and especially during the last two years.

Owing to the great stagnation in all classes of business, which naturally caused a deep-seated feeling of unrest and dissatisfaction in the minds of many of our people, during the last two years the Guard of the State has many times been called upon to assist the civil authorities in maintaining order throughout the State, and I am pleased to say that with but a single exception its efficiency could not be questioned. While the aggregate cost to the State for this service is large, I feared that it would far exceed the amount asked for, and those entitled to it should be credited with loyalty to the interest of the State, and I beg you to care for them without delay. Remember that the majority of the rank and file is composed of young men who depended upon their daily earnings for their support, and while in service were deprived of the same. Many of them have lost their situations by reason of having been called into active service. Do not assume that because no lives were lost and no property was destroyed, that this important arm of the Government is useless, for the very fact that 5,290 armed men stood ready to assist in the enforcement of the law made such a result possible. The Guard of this State is a creature of the statutes, and you should exercise extreme caution in framing laws for its government. It has never been called out by me except to assist the civil authorities as provided by law.

YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE.

In June, 1891, I made my first official visit to the Mariposa Big Tree Grove and Yosemite Valley; again in June, 1892, and a third in 1894. At my first visit, I was much disappointed in the appearance of both, not at their natural beauty, for tongue nor pen can properly portray them and they must be seen to be appreciated, but at their apparent neglect. I found at the Big Tree Grove the ground covered with a mass of fallen timber and undergrowth that reminded me of a natural and beautiful orchard filled with prunings and noxious weeds. I am pleased to report that the Board has removed all these in the upper grove, and it is to be hoped that the lower grove will soon receive the same treatment, for it is indeed a wonderfully attractive spot. In the Valley I found as great apparent neglect. Dense masses of undergrowth had covered more than two thirds of the floor of the Valley, and if not checked would soon smother all of the original beauty of that enchanting spot. I soon learned that charges of tree vandalism had undoubtedly caused intimidation on the part of the Board. A few hours' conversation with Galen Clark, the guardian, convinced me that tree growth was prolific here and needed checking rather than encouraging, for if the appearance of the Valley could be restored to the same condition as that in which he found it in 1855, its grandeur and beauty would be greatly enhanced.

At our last meeting, at my especial request, he prepared for the Board a report embracing his personal knowledge of the Valley in that respect. It is so valuable and of such importance that I cannot refrain from calling your attention to it. It will be found on page 14 of the report of the Commissioners to Manage the Yosemite Valley and Mariposa Big Tree Grove, and should forever put at rest any doubts upon the subject. I should state, however, that during the summer of 1891, one hundred and seventy-five acres of this undergrowth were partially cleared.

I was in hopes that as much money as possible would be devoted to this clearing process, but the Board deemed the rehabilitation of the old Yosemite Hotel of greater importance, and the entire appropriation and more has been expended in that direction. The hotels are now in good condition, and it is to be hoped that nothing else will prevent the vigorous prosecution of that most needed work, for which purpose, I trust, a liberal appropriation will be made apart from that required for the ordinary contingent expenditures.

WORLD'S FAIR COMMISSION.

On page 4 of the report of this commission will be found my letter addressed to Hon. Irving M. Scott, President of the Board, acknowledging receipt of their final report. In that letter I expressed, though briefly, my earnest appreciation of its work, and my

gratitude to the members thereof for their faithful efforts and the satisfactory results accomplished. I should be obliged to repeat substantially the same things here, were I to speak at all. The commission has returned to the State Treasury about \$20,000, and in view of that fact, and in order to meet the urgent demands for this report, the Board of Examiners has ordered ten thousand copies printed and distributed. This, in connection with the "Resources of California," will prove very valuable documents to those interested in knowing the wonderful and varied productions of our State.

"RESOURCES OF CALIFORNIA."

On page 149 of the Statutes of 1893 will be found an Act empowering the Governor to prepare or cause to be prepared a volume explaining the resources of California, for distribution at the World's Exposition, and granting an appropriation of \$25,000 for that purpose. I appointed Hon. E. W. Maslin to perform the work. After a thorough discussion as to the objects to be attained, to wit: a candid review of our merits, the same was commenced and completed in a remarkably brief period, and so faithfully and intelligently that the entire edition has long been exhausted and a second one issued, and still daily demands are being made upon the Secretary of State, the State Library, and the Executive Department. By direction of the Board of Examiners the book was electrotyped and can be reproduced at comparatively little cost.

I take pleasure in complimenting Mr. Maslin on the result of his labors. I am proud of his work, and feel sure that its liberal dissemination will meet with beneficial results.

FISH COMMISSION.

I have been deeply interested in the facts set forth in this report. It will naturally surprise the majority of our people to know what this Board has accomplished in its special department, as also the vast amount of good that comes to the people of the State through its efforts, to say nothing of the three million dollars as the fish product, which alone is enough to warrant attention. The vast amount of labor and care in the stocking and protecting of our fish is of still greater importance. The Board recommends some important changes in the law, which will be found on pages 31 and 32 of the report. It is, however, to be hoped that the entire report will be read by those who may have this matter in hand, as much attention is given to the protection of game as well as of fish. I would gladly devote more space if it were practicable, but I think that substantial encouragement should be given this Board.

HORTICULTURE AND VITICULTURE.

Horticulture and viticulture are two most important industries of this State. I have carefully examined the report of each and find them replete with valuable information. They are naturally somewhat extended, and I can do no better than to ask you to read them and assist in the work. Their demands are insignificant in proportion to the importance of the industries they represent.

STATE MINING BUREAU.

The Bureau is entitled to great credit for its efficient work and its practical suggestions on the mining industry of our State. Mr. J. J. Crawford, the Mineralogist, has proved himself to be an earnest, honest, intelligent champion of the miners' interests, and everything that could be said in their behalf is strongly set forth in his report.

MINERAL CABINET.

The Act of March 9, 1887, simply provided for the removal of the cabinet from the State Library to a place in the Crocker Art Gallery building, and the trustees to be appointed under the provisions of the Act were only authorized to remove such cabinet. The purpose of the Act was fulfilled on such removal, and further powers on the part of the trustees ceased. The cabinet has been materially enriched since that time, and some provision should now be made giving the same in full charge to the trustees, with such powers as may be necessary for its future care and preservation.

DISTRICT AGRICULTURAL SOCIETIES.

I have been importuned by many citizens who are heavy taxpayers, to request an examination as to the usefulness of these societies. It is strenuously denied by those asking this request that any benefits to the districts result from their existence. Certainly the cost to the State is very great, being \$95,000 per annum. If these societies are really beneficial, and answer the purpose for which they were intended, why should not their support and management be entirely maintained by each district and not by appropriation from the taxpayers, whose interests are not in any way affected? I refer you to the report of the State Board of Examiners for further information on this subject.

STATE BOARD OF HEALTH.

This board is entitled to favorable commendation for the faithful and efficient manner in which it has performed its labors, and I earnestly ask consideration of its report. Its suggestions will be appreciated by every thoughtful person.

BANK COMMISSION.

It is to be regretted that no steps were taken by the last Legislature empowering this commission to enforce the law under which it acts. Could this have been done the great bank excitement in this State might have been averted. The Commissioners had given ample warning to the proper authorities, but were powerless to do more under the law. This is an important matter, and should not be suffered to pass unheeded. The labors of this commission are ably set forth in their report.

BUILDING AND LOAN ASSOCIATIONS.

The last Legislature passed an Act establishing this board. It, like the Bank Commission, is supported without direct tax upon the people, and its objects are similar. Its report presents a commendable degree of earnest, faithful work, and certain changes in the law are deemed necessary in order to enable it to accomplish the object sought. It is to be hoped that due attention will be given to their requests.

STATE LIBRARY.

The report of the Trustees and Librarian shows that the institution is continually progressing, and holds high rank with the older and longer established libraries of other States. The law library is complete, while many valuable additions have been made to the miscellaneous collection. The recommendations of the Librarian meet with my approval, and their usefulness would be increased were his suggestions embodied in statutory form.

I am further confirmed in my opinion, as given in a former message, that itemized bills, other than the purchase of books, should be transmitted to the State Board of Examiners for their investigation. The taxpayer should know how and for what purpose his money is expended. No one department of the State is better than another, and rigid scrutiny in all expenditures should be the universal rule. The payments for the forty-fourth and forty-fifth fiscal years, as exhibited by the Secretary of its Board in his financial statement, aggregate \$42,252 75, and the names of payees, number of voucher, and amount is all the information possessed by the taxpayer. This system of transacting public business is radically wrong, and the law should be altered, placing this institution in the same category and on the same plane as other public officers. Apart from the question as to the honesty of the payments, the partiality extended to one department of the State, as against all others, is unjust. The entire system of checks should be uniform.

CAPITOL COMMISSIONERS.

The report of this commission gives in detail the expenditures incurred in the adornment and beautifying of the grounds, and also shows economic management in the disbursement of moneys intrusted to its care.

I fully concur in the request for appropriations to bituminize the streets surrounding the grounds, particularly as the property holders facing them are desirous of joining in such improvement; and also recommend the granting of the sum asked for the improvement of the grounds lying east of Thirteenth Street.

While the Capitol building proper is under the sole charge of the Secretary of State, I cannot refrain from asking an appropriation in his behalf for the finishing of the dome from the second floor in the same artistic manner as the lower portion. The work speaks for itself, and is of a character warmly commended by every one who visits the building.

I also recommend an appropriation for the tiling of the first floor in keeping with the newly laid one above. I have had an estimate made of its cost, amounting to \$6,000, and a request will be submitted for its completion, which I trust you will see fit to grant.

The adornment of the Capitol should be a matter of State pride. Local feeling should not intervene to prevent it being made such, for though it may, in a measure, benefit the immediate locality, it should not be viewed in any other light than the broad one of its being the property of the whole State, in which every true citizen is interested.

BOARD OF PUBLIC WORKS—DRAINAGE AND PROTECTION OF OVERFLOWED LANDS.

The report of this commission shows that the State of California, by virtue of the Act of Admission and the Act of Congress of September 28, 1850, commonly known as the Arkansas Act, acquired title to all the swamp and overflowed, salt marsh, and tide lands within its borders, estimated approximately at 1,750,000 acres. The lands embraced in the Arkansas Act were granted to the State under the implied obligation that they should be reclaimed. The State has since that time passed various acts, having in view the accomplishment of that purpose, but leaving the work of reclamation to private enterprise. No general system was prescribed by the Legislature, but conditions have enforced the expenditure, by private land owners, in work of reclamation, of sums of money aggregating \$13,783,464, and in addition to this immense sum the State has expended in this direction the sum of \$3,191,588.

It was not, however, until the last session of the Legislature that the State undertook to provide a general system of drainage and protection. This it did by providing for the appointment of a Commissioner of Public Works, and this legislation has resulted in a

full report and estimate for a system of drainage and protection works for the Sacramento Valley. Your especial attention is called to this subject, and I earnestly recommend the passage of such laws as will insure the thorough reclamation and protection of these lands. The State is at least obligated to the owners of lands now in danger of inundation to furnish a general plan of drainage works, and to furnish proper supervision of those portions of private and district works always being constructed, which must in time become parts of the general system that will be necessary to insure safety.

Delayed action in the matter of systematic work in protecting the lands and property now endangered would be unwise economy, as the direct benefit to the State in protecting a large number of acres of productive and valuable land from the danger of overflow, would be adding to the taxable wealth of the State countless acres now practically valueless. This is too great to admit of question.

NAVIGABLE STREAMS.

The importance of keeping open, free from obstructions, the navigable streams of the State, is so manifest, and appeals so forcibly to every thinking person, that it would seem a waste of time to call your attention thereto. As stated in a former message, "Navigable streams are God's free highways, open at all times to the rich and the poor alike—to the raft and flat-boat as well as to the floating palace."

For action in this direction, we must look to our Representatives in Congress; but earnest efforts on your part will materially assist them in their endeavors to secure proper legislation enabling us to acquire the desired benefits and to obtain a just recognition of our wants in this regard.

NICARAGUA CANAL.

The building of this great commercial highway is of such vast importance to the interests of the State that every effort on our part should be extended in aiding its accomplishment. The merchant will find new avenues for his commodities, the vineyardist and horticulturist more markets for their products; the farmer will be enabled to handle his grain minus the great expense now attending his shipping costs. Reduction of freight rates, increase of population, growth of manufactures, advance in all the fields of labor, must follow the success of this enterprise. It is a measure of national significance, and we should urge our Members of Congress to use every honorable exertion to secure for us the benefits which the completion of this great undertaking promises.

SANTA MONICA SOLDIERS' HOME.

This great and benevolent institution, located at Santa Monica through the generosity of the National Government, for the care of the invalid soldiers of the nation, deserves consideration from your honorable bodies.

At the time of its location it was expected that the lands obtained for its use would be ceded by the State to the General Government, as has been done by other States similarly honored. The attention of the last Legislature was directed to that end, and an effort was made to comply with the request. Unfortunately a controversy arose in the Assembly as to whether such cession should contain a reservation allowing the old soldiers to exercise the privilege of voting. For some reason, the bill was not passed. It is to be hoped that this session will remedy this act of injustice. I also earnestly urge the recognition of the reasonable and equitable request of the General Government relative to the cession of the land on which the home is located.

KEEPER OF THE ARCHIVES.

The Legislature of 1889, in my judgment, wisely created the position of Keeper of the Archives, an office that could and should be one of great importance. By the present arrangement, the papers and documents of the State, while somewhat improved by the provisions of the Act, are yet in a very unsatisfactory condition. For some unaccountable reason, the appropriation for the payment of the salary of such officer was not allowed by the last Legislature. This was an error that should be remedied immediately.

BOUNTY FOR COYOTE SCALPS.

I called the attention of the last Legislature to the necessity of repealing the Act of 1891, providing for the payment of a bounty on coyote scalps. No action was taken, and in consequence the sum of \$187,485 has been already paid out, and existing demands against the State amounting to \$195,985 have been presented. For many good reasons this law should be repealed. The State has been shamefully defrauded by the payment for scalps that have been shipped into the State from Oregon, Nevada, Arizona, and Mexico. The law provides that after the scalps are examined by the Board of Supervisors of a county they shall be destroyed by fire, thereby extinguishing all evidences of fraud; and as the Supervisors have no interest in the matter, and simply act as agents of the State, it is manifest that no extra effort has been made to check irregularities, and the Board of Examiners have no means of preventing this swindle upon the State. It is to be hoped that this law will be repealed.

SANTA CLARA FEEBLE-MINDED HOME.

This property was left when Glen Ellen was occupied. When I approved the bill appropriating \$125,000 to finish the latter, I was given to understand that the Santa Clara property was worth about \$40,000. In the summer of 1891 several offers, ranging from \$15,000 to \$18,000, came to me for my approval. I refused them on two grounds: First, the great discrepancy between the reported value and the offers made; second, and more potent, on the ground that it was thought by those in charge of the Whittier School that the girls should be sent away and cared for by a separate institution. If that were to be done the Santa Clara plant, at \$18,000, was the available property for that purpose. It was afterward determined to retain the girls at Whittier, and since that time no offer has been made for this property, and it is still under the management of the same board. It can be dealt with at any time without further legislation.

CODE COMMISSION.

I have been requested by a large number of people to recommend to your honorable bodies the importance of a careful revision of the codes of this State. It is urged that as the present codes were framed prior to the adoption of the new Constitution, many additions and innumerable changes have been made by the Legislature since that time; that it is now over twenty years since the same were adopted; that an intelligent revision would be of incalculable value to all, and that the cost of such revision would be slight as compared with the benefits derived. With the exception of the revision that the codes received in 1880, to make them conform in language to the changes in the names of courts provided by the new Constitution, there has been no attempt at revision since the codes went into effect, January 1, 1873, and it would seem essential that the many laws passed and amendments made to the codes themselves since that date should be codified into a harmonious whole. I would suggest that the Governor be empowered to nominate three capable attorneys of this State, to be confirmed by the Senate, as such commission, under such instructions as your honorable bodies may see fit to prescribe.

PRIMARY ELECTION LAW.

The voice of the people through the ballot, when free from restraint of every kind, becomes their true expression. To render this grand privilege secure is the solemn duty of the law-making power. Expense in contributing to this end, if it but fulfill its purpose, is unworthy of consideration. Our present election law has been thoroughly tested, and so far as I have been enabled to observe, its workings have proven satisfactory.

The system could, however, be improved by the adoption of some method whereby the counting of the votes could be more rapidly performed, particularly so in our larger cities. Suggestions will be presented you, with changes which experience has demonstrated to be necessary, and to which I desire to ask your earnest, serious consideration.

Your attention is called to the urgent necessity of establishing some form of procedure regulating and controlling primary elections. The danger to our government lies in the loose and very often profligate manner in which these elections are conducted, regardless of the rights of communities, imperiling their safety, and entirely under the control of the worst elements of society. Like stringent laws, which protect the voter at a regular election, should shield him at these primaries.

It is absurd to declare that the voter has the right at a general election to vote for whom he pleases, when those for whom he must vote have been placed before him, without giving him an opportunity of declaring his choice. The privilege of nomination is strangled at the birth, and he must follow the dictates of a convention corruptly assembled, or quietly abstain from the use of the franchise. This is an evil growing by what it feeds on, threatening the liberties of the people by debarring them from the free and untrammelled exercise of personal choice.

PARDONS AND COMMUTATIONS.

This subject, if faithfully and intelligently considered, presents one of the most trying duties imposed upon the Executive of the State. The vast number of convicts in our prisons, the utter impossibility of ever being able to know the whole truth affecting any of the crimes alleged, naturally causes any thoughtful Governor to hesitate ere he assumes to exercise the extraordinary power vested in him by the Constitution of the State, whereby he can set aside the legal verdict of the established courts of the land. Fully realizing the grave responsibility resting upon me in that regard, I established a policy which has proven so satisfactory that those who are familiar with it assure me it is a great improvement on all former methods.

In my last message I reviewed this subject at great length, explaining the system I have adopted and the satisfactory results arising therefrom. The Board of Prison Directors has continued to render me valuable aid in the examination of applications for Executive clemency, and I desire to publicly acknowledge their never failing kindness, patience, and courtesy.

The records of my office will show that I have personally examined about 730 cases; that I have sent to the Board 167 cases, all of which were carefully and critically examined by me first, and by them afterwards. In every case that has been returned to me a concise statement accompanying the recommendation has been given. In almost every instance I have fully agreed with the Board's conclusion, and in every case respected its

verdict. The Board has recommended a few and rejected a few that if left to my own judgment might have been different.

I have granted as State Prison cases 27 full pardons, and have commuted or conditionally pardoned 91; of the latter, 8 were Chinamen to be deported. To the authorities of other States, 2; to those who were willing to leave the State never to return, 20. These, upon promise of friends of petitioners who live in other States and in other countries, to care for them if they were permitted to return to their homes. In all, 118 cases. While the sum total is less than a third of the number granted by any of the last four administrations, I feel that all will give me credit for an earnest desire to do justice in every case where actual injustice has been made manifest. The friends of the accused should be made aware of the fact that no Governor can intelligently examine into the merits of such a great number of cases unless he be willing to devote all his time to their consideration.

The records relative to all these cases are systematically kept and reference to each can be had at a moment's notice.

I have also had prepared a general index, which will be found a great convenience, to the pardons, commutations, and reprieves granted, from which at a glance can be found either of the above without the task of a search through the many prison registers which the Governor is required to keep, to ascertain dates, reasons, etc., in granting Executive clemency.

Many reasons are advanced for the excessive number confined in our prisons, but I find it is largely due to two prominent facts: First, our statutes create a large number of State Prison offenses; second, because the Judges of the State, in their discretion, impose excessive sentences, as compared with other States for like offenses.

I would recommend that you pass a joint resolution requesting the Governor to commute every Chinese subject now confined in our prisons, upon condition that he be deported to China at his own expense, never to return. We now have about 150 of these in our prisons, and it would seem to be wise to return them in this manner, if they are willing to go. While the Governor needs no change in the law to empower him to do so, yet such a resolution sanctioning the act would relieve him from assuming the entire responsibility, and apprise the people of the State of its object.

PAROLE LAW.

This law has been in operation for a year, and seems to answer its purpose. At the time of its passage, much opposition was manifested to its enactment. Since testing it, many of the objections have been withdrawn, and, under the stringent rules adopted by the Board of Prison Directors, it promises to result beneficially to all concerned. It certainly acts as a great incentive to the prisoner, and aids in a better maintaining of prison discipline.

The report of the Board on this subject is so full and clear that I recommend its careful perusal and consideration.

CAPITAL PUNISHMENT.

This subject was fully treated in a former message. My opinions on the suggestions therein presented are unchanged, and should you desire to refer to them, they will be found on pages 45-47 of my first biennial message. Since the adjournment of the last Legislature, I have commuted two death sentences to imprisonment for life. One of them, the case of John McNulty, upon the merits of the case, and the other, Anton Vital, upon the information of Warden Hale, of San Quentin, that the prisoner was hopelessly insane, which fact was confirmed on examination by Dr. Clark, of the Stockton Insane Asylum, Dr. Gardner, of the Napa Insane Asylum, together with the resident physician of the prison. Their report was most emphatic as to his incurable dementia. Therefore, under the law, without regard to his guilt, the commutation was granted. All other applications have been denied.

Those most familiar with the actual work and mental anxiety devolving upon the Executive in the consideration of these murder cases, cannot appreciate his position. It is a trying ordeal, for, on the one side are the relatives of the condemned, who, up to the last moment, are supplicating in every known form for mercy, while on the other hand the inexorable demands of the law are to be satisfied.

EXTRADITION.

The law on the matter of extradition as it now stands on our statutes, provides that the State should bear the burden of all expenses incurred in arresting and bringing back fugitives from justice. Experience has demonstrated that radical changes should be made in this direction. Except certain crimes, such as murder, arson, incest, and offenses of like enormity, the county should be made to bear the expense; and for embezzlement, collection of debts, etc., of private individuals and corporations, the charge should be borne by the party desiring the extradition.

I also recommend that the fee of the Secretary of State, for attaching the seal of state to these documents when issued by the Governor, be remitted.

GOVERNOR'S MANSION.

Retiring from office, I cannot be accused of selfish motives in recommending a moderate appropriation for the providing of a residence for future Governors. I am aware such action would have been taken at the last legislative session had I urged it, but the

reasons which prevented me then are rendered inapplicable now, as personal interest cannot be imputed as a motive. Experience has demonstrated its necessity, and while opposed to extravagant expenditures for any purpose, however urgent the necessity, I feel justified in asking a reasonable sum for this specific object.

REPORT OF STATE BOARD OF EXAMINERS.

This most valuable report is replete with information affecting every interest of the State. If the pleadings for economy and the appeals for reform in the management of the financial business of the State are to receive consideration at your hands, they will be found within the pages of that document. I doubt if ever a clearer or more explicit statement of the pernicious system which governs the administration of our State affairs was ever before exhibited. There is not a suggestion embodied therein but evinces laborious investigation and a desire to aid the taxpayer in his endeavor to reduce the burden imposed upon him by extravagant and sometimes thoughtless expenditure of the public moneys. During the last four years, through the efforts of the efficient Secretary of this Board, Mr. Geo. E. Pratt, over \$150,000 has been saved the State. I cannot praise too highly the labors of this officer. I am aware that the general rule for acknowledging fidelity to public trusts and diligent, faithful performance of public duties, is rendered after death. As there are exceptions to all rules, I desire to offer my testimony to his worth and integrity while living.

CARE OF UNFORTUNATES.

In my message to the last Legislature I called attention to the number of unfortunates which were cared for wholly or in part by the State during the one year preceding that date. It was about 19,300, consisting of insane, orphans, half-orphans, abandoned children and foundlings, aged indigent, prisoners, feeble-minded, juvenile offenders, deaf, dumb, and blind, soldiers' widows and orphans, veterans at the Yountville Home, and adult blind. I have examined and estimated the same for the last year, and find there are about 22,300, or an increase over that of two years ago of about 3,000. It is for you to determine whether the State shall continue this work, or ask the counties whence they come to stand the expense.

STATE BOARD OF EQUALIZATION.

This Board, in its report, suggests three important changes in the law. First, that University mortgages be treated like all other mortgages as to taxation, not so much on account of the mortgage itself, or its effects upon the University, but for the great injustice inflicted upon communities where blocks of this property are exempt from taxation and others called upon to make it up. Second, that the mortgage tax be extinguished. The intention of this law, to wit: to protect the borrower as much as possible, has not been the practical result. With no interest limit, the lender not only adds what the tax is, but all he imagines it may be, and the borrower is thereby compelled to pay interest on his tax bills from the day of the loan, to say nothing of the extra expense of administering the law. So far as I can learn, both lender and borrower would be pleased to see this absurdity removed.

An earnest appeal is made for a careful and thorough revision of the revenue laws, which seems to me to be imperatively demanded, and I desire to add my concurrence to their request, satisfied that the reasons urged warrant such action. In asking for a revision of the codes this subject approved itself to my mind.

SHIPPING OF CALIFORNIA.

This branch of our industry, like that of other States of the Union, is controlled by national laws, and is by the General Government taxed for its support. England furnished to America her precedent in admiralty and maritime management and gave us her ideas as to its fostering care. National laws compel ships to hail from some port. Local laws permit their taxation for local purposes at the bailing ports. California has but two natural harbors, San Francisco and San Diego, and they are known to the shipping world, and vessels of this State are almost compelled to hail from them. California encourages almost every other State industry in a most substantial manner. Why should she forget an industry that has so uniformly been protected by all nations of the earth? The navies of the world have recognized the enterprise of California in ship-building, and we should do all in our power to encourage the merchant ship-owners of our State. The State of New York passed a law in 1881, and amended the same in 1892, exempting from State and local taxation all vessels registered at any New York port, owned by American citizens, and engaged in ocean commerce between any port of the United States and any foreign port, and providing for exemption for thirty years on the franchise, earnings, etc., of all corporations organized under the laws of the State for that purpose.

The fact that the great bulk of our registered merchant shipping of the United States is credited to New York, may be due to the liberal tax laws of that State. There is every reason why California should give equal encouragement to the shipping interest, and the passage of a law as liberal as that in force in New York would be of material advantage to the State.

A tax on American shipping tends to drive the vessels away or substitute foreign ones. The abolition of the tax would not perceptibly increase the burdens of other property owners, as many of our ships are registered from Eastern ports and it would tend to attract to our ports ships which now stay away. It would stimulate our trade, improve our general taxable resources, and largely increase the ship tonnage of these two ports. It will take a constitutional amendment to enable any such measure to be adopted here, and a step in that direction should be made by removing all taxation on vessels owned by our citizens which are engaged in ocean commerce between our ports and those of foreign nations; and in addition to this, let it be hoped that the day will come when those harbors can be used as the home of all vessels owned in this State and exempted from unnecessary charges of any kind. The great commercial nations of the earth have ever been interested in this subject for their national good, and why should not our State be willing to lend a helping hand to an industry that can bring the products of the world to our doors?

TORRENS LAND COMMISSION.

The transfer of titles to lands in this State has been regarded by many whose vocation leads in this direction as cumbersome and confusing, and a subject that demands simplification. Concurring in that belief, I approved a bill of the last Legislature (Stats. 1893, p. 121) authorizing the appointment of a commission to examine and report upon the method adopted in Australia, and known as the "Torrens Land Transfer Act of Australia."

I appointed the following-named gentlemen on such commission: Edwin F. Adams, of Alameda; Frank Miller, of Sacramento; Bart Burke, of Santa Cruz; Elliott McAllister, of San Francisco, and R. N. Bulla, of Los Angeles.

As the report of this commission is to be directly submitted to your honorable bodies, I am unable to make any further statement regarding it.

GOOD ROADS.

One of the foremost subjects claiming the attention of the people at the time I assumed the Executive office, I found to be that relating to the betterment of the country roads throughout the nation. It is a subject that has long had my thought, and one in which I take profound interest, since I am convinced it is eminently true that a people's civilization, progressive spirit, and economic methods are largely to be estimated by the character and condition of the highways that are their means of transportation and greatly of communication. It was true of the ancient nations, and the truth has not declined with us because this is a railroad building era. On the contrary, we have been so absorbed in the promotion of the latter industry throughout the United States, that we have lost sight of the necessity of building and maintaining permanent country highways to relate us to railroad systems more economically. Now the matter is so before us as to demand immediate attention, because the fact has been developed that the producer hauling to market, or to a point of rail shipment, a dozen miles over a bad road, is more distant than the producer who is located upon a railroad line a hundred miles away.

It is also apparent to the most superficial observer that our bad road conditions in California are a decided detriment in the matter of inducing desirable immigration and in peopling our rural sections. The home-seeker of to-day demands as one of the conditions of change and settlement, the largest possible degree of the privileges, the refinements, and the advantages of town life, while at the same time he enjoys the independence and free life of rural living.

The construction of good, permanent highways for trunk lines at general cost of the county, leaving to districts the construction of feeder lines, is, in my judgment, the right policy to adopt. The town, equally with the suburb, is interested in the road between the two; every dollar's worth of assessable property in a county is as much the subject of responsibility for road conditions, as is the property of land owners in the country. I have vainly sought for a substantial reason for adhering to the present system, which visits the costs of road building and maintenance upon the farmer and rural land owner alone. It is supported by no more worthy reason than this, "it always has been so."

The amendment to the Constitution, adopted in 1892, relative to county and municipal credit, enlarged the limit thereof to forty years from twenty, the former period. When, however, the last Legislature came to the reformation of the road laws, it did not recognize this constitutional extension solemnly voted by the people, but retained the credit limit at twenty years. This has given rise to confusion, and has greatly embarrassed the friends of road reform. On the one hand they claim that the Constitution governs; that it is a grant the Legislature cannot restrict, since if it can cut off twenty years, it can with equal right restrict to any lesser time, and thus nullify the Constitution. On the other hand, it is urged that the Constitution simply states the maximum period for which communities may, under legislative regulation, pledge their credit after a two-thirds affirmative vote, and therefore the Legislature has the right to prescribe any period within the maximum limit.

I call your attention to the subject that the relation between the Constitution and the law may be harmonized, and I advise that the constitutional extension be recognized in the statute, because it will be a means of bringing the Government still closer to the people, and this is always desirable.

The augmenting agitation concerning good roads led to the first National Assembly for Good Road Promotion, held at Chicago in 1892. It was an eminent success, and was promoted by many of the most patriotic and able minds of the nation. It resulted in the formation of the "National Good Roads League," of which a convention was held at Washington, D. C., in 1893, and received the aid and hearty cooperation of the Federal Government. This was followed by the "National Road Conference," held at Ashbury, N. J., in July last, and will be followed by the "National Road Parliament," at Atlanta, Ga., in October next.

In March, 1893, Congress by Act authorized the creation of a Bureau of Government Road Inquiry, under the direction of the Department of Agriculture. To the head of that Bureau Gen. Roy Stone was appointed by the President. I have been in close communication with Gen. Stone on the subject of road improvement, and have extended him all the aid I could in gathering information concerning road conditions in California, and at his request have recommended an agent to represent him here in the distribution of good road literature, printed by the Federal Government, such as the proceedings of road conventions, road laws of the several States, road building materials in the United States, construction of earth roads, etc.

I am informed that Gen. Stone will visit California during the session of your body. I bespeak for the distinguished engineer such reception as will best forward his inquiries and advance the good road movement in our State.

In the summer of 1893 I gave semi-official sanction to the use of the Executive title in aid of a State Road Convention, which was held at the Capital in September and was the first road conference of State importance on the coast. It had its inception in the public spirit of the Sacramento County Humane Society, and its expenses were borne by the people of Sacramento. It was not fruitless of results of a gratifying character, though it fell far short of the hopes of its promoters. It was a first effort, and if it did no other good it set in motion forces which, I trust, will continue to move until practical results of the most beneficial character are attained. An adjourned session of the convention was held in San Francisco in May, and though profitable, was lightly attended. A second annual session of the organization will be held at the Capital early in February. I have no hesitation whatever in advising your honorable bodies to give it all encouragement and cheer. Its delegates are chosen from among the best citizenship of the State. Twenty of these delegates have been selected by myself to represent the State at large.

I am in receipt, at a late hour, of a letter from Gen. Stone, who, speaking for the honorable the Secretary of Agriculture, urges me to invite your attention to this good road subject, which I had already done. The Secretary adds that information received by him reveals the intention among legislators throughout the Union to give very much attention to the subject of highway improvement at these winter sessions, and that the measures to be considered chiefly will be the "State Aid System of New Jersey," "State Highway Commissions," "Effective Road Laws," "Utilization of Convict Labor," "Width of Wagon Tires," "Discovery of Road Materials," "Substitution of Money Taxation for the Statutory Labor System," etc.

There is such a diversity of opinion, says the letter, on these subjects, and such misapprehension concerning methods best to employ to secure good roads at least cost, that it is desirable that agreement in detail be reached before legislation is attempted, for without such agreement there is danger that nothing valuable will be accomplished, because of the difficulty of harmonizing individual bills. The General, for the Secretary, advises that at the opening of the Legislature a temporary joint commission be erected, perhaps out of the membership of the Legislature itself, with the addition of expert engineers and others who have knowledge of the whole subject, to consider all road propositions, hear all suggestions, and reduce the whole to such form that the matter may be most intelligently handled by your honorable bodies.

As I conceive that such a temporary advisory board may be erected without mentionable cost to the State, and as the Department of Agriculture at Washington advises me that if some such plan is adopted the Federal Government will render all possible assistance, furnish all information at its command, and keep each commission posted as to what each other commission in the several States is doing, I do not hesitate to advise you to create such advisory commission and to reinforce it with a few members distinguished by their knowledge of road conditions and needs, and of engineering science. Of course to accomplish anything such a body, if created at all, should be named almost immediately.

Committing this whole subject to you with conviction of its supreme importance, and believing that road reform lies at the base of nearly all the other great economic reforms affecting immediately the conditions of life and prosperity in our land, I solicit for the whole matter your earnest, early, and profound attention.

FIFTY-CENT LIMIT.

Taxation is always a vital question to the taxpayer. Be it ever so moderate, it is always capable of undergoing reduction.

I was nominated and elected on a party platform which pledged the people that the tax rate should not exceed fifty cents on each one hundred dollars of taxable property. I soon discovered that this rate was a purely arbitrary one to adopt, and left me no definite foundation upon which to estimate the resources to be derived under it. After assuming office, I immediately sought the most reliable sources of information, to wit,

the office of the State Board of Equalization and that of the Controller, and upon these data the valuations of 1890 were adopted, which yielded \$4,982,646, and after deducting fixed charges, as the law allowed, the remainder represented the gross expenditures for permanent improvements. I was then able to furnish every interested legislator with a detailed statement of our financial condition. Notwithstanding this information, it was unheeded, and I was obliged to veto \$700,000 of appropriation bills in order that the limit should not be exceeded. In 1891-92 the valuations were increased enough to reduce the average rate for these years to 44 cents.

A similar course was adopted for the benefit of the last Legislature, with the same results. The valuations of 1892 were accepted as my guide, and they yielded \$6,060,127, and in order to keep within said limit, I was obliged to veto \$1,000,000 of appropriations.

In 1893-94, valuations were sufficiently reduced to increase the rate for those two years to an average of 53.4 cents, making for the four years of my administration an average of 48.7 cents on the hundred dollars. While this is the lowest rate since the State was organized, it should and can with proper legislation be reduced.

All that was left for me to do was to veto still more appropriation bills, in order to reduce; but as I had already vetoed in all \$1,700,000, exceeding in amount that of all the Executives since the adoption of the State government, I could but feel that I had reached the limit in that regard. Let it be hoped that my successor be spared that trying ordeal.

On questions of appropriation the Legislature should act with caution, for it is presumed to be the proper judge of their necessity. Such action would avoid the responsibility so often unjustly thrust upon the veto power for protection.

I have given considerable attention to the methods of performing State work, and carefully observed and noted the defects, and in my message to the last Legislature clearly pointed out many of them.

The question as to whether our people outside of incorporated cities are called upon to pay a greater aggregate of taxes in proportion to actual valuations than those in other States, is debatable and very difficult of ascertainment, and I am not prepared to say they do. I have given the subject much thought, but there are so many contingencies to be considered that it is almost impossible to make comparisons.

But our purely State taxes are much higher than in the average States of the Union. This is to be accounted for in the growing tendency of our people to look to the State for aid in every direction, throwing the burden of responsibility that should be borne by others entirely on her shoulders, thus leaving her, as it were, without a friend.

The constantly increasing number of unfortunates to be cared for is another cause. We have about 286,000 voters in the State, while we support in some manner over 22,000 unfortunates; being in the ratio of 1 to every 13 voters of the State. This is appalling. Are we not by this method encouraging dependency on the part of those that could be cared for in other ways? By this system of unrestricted charity are we not doing more harm than good? That many of these cases will appeal to our better nature none will deny, but will it be gainsaid that, if the respective localities in which these unfortunates live and ask for aid were compelled to answer their demands, investigations as to their deservings would be more carefully inquired into? As it is, no questions are asked, because the onerous load is borne by the State.

California is a miniature United States and our institutions widely spread, which adds largely to our legitimate expenses. The cost per capita of our insane in the three old institutions is less than in any State in the Union. The average is about 38½ cents per day, which includes food, clothing, attendance, in fact all costs outside of permanent improvements, and the inmates are most humanely cared for. So with the State Prisons; the food is good, clothing ample, and all are well treated, and outside of permanent improvements the average is less than 40 cents per day. The Whittier and Preston Schools, the Feeble-Minded, the Deaf, Dumb, and Blind, are, in fact, more than educational in their work, and are thereby more expensive in proportion, but by all of them economy has been rigidly practiced. The costs of commissions and boards are of themselves inexpensive, as only a very few of their members receive compensation for their labors. The objects to be attained by these boards and commissions are what the money is used for, and it is for you to say whether any or all of them can be dispensed with. Those most interested in them consider their work worth all it costs.

The State last year paid for charity, etc., as follows:

Orphans and half-orphans	\$336,000
Aged indigents	460,000
For the insane, about	602,500
For charitable and educational institutions—	
Deaf, Dumb, and Blind	\$55,000
Feeble-minded	50,000
	105,000
Reformatories, to wit:	
Whittier	\$80,000
Preston	35,000
	115,000
For half salaries of 86 Superior Judges	155,000
For transporting prisoners, insane, etc.	60,000
Total	\$1,833,500

To this there should be added some deficiencies in order to meet the required demands upon them. Nearly all this expense in other States is borne by individuals, counties, and municipalities. In other words, the State is relieved or reimbursed in some form for its expenditures in that direction.

The total income of the State this year on the basis of 1894 will be about \$5,728,112. Thus it is plain to be seen that after deducting the \$1,833,500, and the \$2,773,000 paid for our public school system, including Normals and University, there will be left about \$1,121,612 to meet all other expenditures. The Controller's report will clearly define what the other expenditures of the State are, and should be carefully estimated and added to the \$4,606,500, which should represent the fixed charges against the State as the law now stands. Based on a rate of 45 cents instead of 50 cents, it would yield \$5,155,000 and leave about \$550,000. To those who have claimed that the State government could be run on a basis of 25 per cent less than the present cost, let me call their attention to the true situation. On that basis the yield would be about \$4,295,000, which you will see is \$311,500 less than the items embraced in the public school, benevolent, and judicial charges, \$4,606,500.

For your convenience I will give you, as near as I can ascertain, the principal items that will be asked of you for permanent improvements, to wit:

Mendocino State Asylum.....	\$120,000
San Bernardino.....	276,000
Napa.....	Not estimated.
Stockton.....	30,000
Agnews.....	5,000
Whittier.....	73,000
Preston.....	Estimated. 75,000
San Quentin.....	Not estimated.
Folsom.....	Not estimated.
Adult Blind.....	Not estimated.
Deaf, Dumb, and Blind.....	26,590
Building for State officers in San Francisco.....	300,000
State University in San Francisco, Berkeley, and Mt. Hamilton.....	750,000
Amounting in all to.....	\$1,655,590

There will be others which I have not considered and cannot estimate.

If there is one question upon which our people are a unit it is on the subject of taxation. You are their immediate representatives, pledged to respect their wishes, and to keep the rate of taxation within the fifty-cent limit. Therefore, unless you determine to make radical changes in our method of transacting State work you will readily see that it will require every dollar that the fifty-cent basis will produce in order to meet what may be properly considered fixed charges, as the law now stands, notwithstanding the increased income over 1890.

By considering the Controller's report, and the estimates furnished you by the State Board of Equalization, you will see that no permanent improvements can be made unless some of the State's responsibilities are shifted, as heretofore indicated, or the rate will exceed the fifty-cent limit. However unpleasant these facts may be, it is due to you and our taxpayers that they be plainly stated, in order that you may act accordingly, and our people be made aware of the true situation of affairs.

Permit me to say that as to the financial statements above enumerated, I have given them to you for your own convenience. They are believed to be correct; but the means of verification are at your hands, and I would respectfully suggest that you examine the same for your own protection.

I have no apologies to make as to our expenditures. They have all been made according to law, and it is for you to say in what manner they shall be reduced. I have striven to do all that any Governor should be expected to do in that respect.

CONCLUSION.

The hour has arrived when, by constitutional limitation, I must surrender my office to my successor. In so doing, I would be false to myself did I not express my gratitude to the people of California for the many acts of courtesy and kindness which I have received at their hands during the four years of my administration. I entered upon the discharge of my official duties with doubt and fear, knowing and feeling their grave responsibilities. I have endeavored to discharge them to the best advantage to the State, and I believe that I can conscientiously affirm, looking backward on their performance, that, with some trifling exceptions wherein judgment erred, I would not, under the same circumstances, change my course.

To the officers of State and their attachés, with whom my intercourse has ever been of the most friendly character, and I acknowledge the valuable aid and assistance rendered me by the several departments on various occasions.

To the several boards and commissions of the numerous State institutions, I am also indebted for many favors and much useful information bearing on their respective charges.

To those immediately connected with my own department, whose zeal and fidelity exhibited on all occasions in the advancement of my interests will never be forgotten.

It is the breaking up of these ties that causes regret, but I can assure one and all that the friendships thus formed shall be as lasting as life, and with the best wishes for the welfare of each fellow citizen whose rank I shall proudly join, ever ready to aid to the fullest extent of my abilities in whatever may tend to enhance the prosperity of the State, I take my leave, with the earnest desire that success may attend the administration of my honorable friend who assumes my place.

H. H. MARKHAM, Governor.

REPORT OF BOARD OF SUTTER'S FORT TRUSTEES.

To His Excellency H. H. MARKHAM, Governor of the State of California:

The Board of Sutter's Fort Trustees submit the following:

We are pleased to report that the work of restoring Sutter's Fort is completed. The Fort, as now reconstructed, is in form and general proportions the same as the original. The material used in the new work is of the same character as in the old, except where it was necessary to place a more durable material in order to withstand destruction by the elements. While the Fort and adjoining buildings are now complete, it is necessary that an appropriation should be made for improving the grounds and to keep them in order. These grounds consist of two square blocks, the title of which is now in the State of California.

Since the work of restoration began we have found it necessary to employ a guardian to care for and protect the property.

The building and grounds within the Fort should be kept in order, and a proper person appointed to attend to this, and also to receive and admit visitors. A register of visitors is kept in the Fort, and a perusal of its pages will show that Sutter's Fort is a place of interest to people from all parts of the world. It is the desire of the Board to further increase the interest in this historic property by establishing at the Fort a museum, to consist of relics of historic value relating to the pioneer days of California. Some contributions in this line have been received and are now on exhibition.

Some filling of the grounds outside of the Fort yet remains to be done; the balance now in the fund will be sufficient to meet this expense.

We submit the following as items of necessary expense to be incurred, for which appropriation ought to be made, viz.:

Salary of Guardian.....	\$1,200 00
Cement walks.....	1,600 00
Chain fence with granite posts, to inclose grounds.....	2,500 00
Total.....	\$5,300 00

The following is a financial report covering the receipts and expenditures in connection with the restoration and improvement of Sutter's Fort, made within the provisions of an Act of the Legislature, approved March 9, 1893:

Credit to fund by appropriation.....	\$15,000 00
To contracts (Geo. Murray & Son).....	\$11,819 51
Labor.....	293 55
Architect's fees.....	404 15
Material.....	176 70
Watchman's salary.....	880 00
Total.....	\$13,573 91

Summary: \$15,000 00
13,573 91

\$1,426 09 balance in fund (State Treasury) December 1, 1894.

Respectfully submitted.

FRANK D. RYAN, President,
EUGENE J. GREGORY, Treasurer,
W. W. GREER, Secretary,
THOS. FLINT, Jr.,
CHAS. E. HOLLISTER,
Board of Sutter's Fort Trustees.

RESOLUTION.

By Senator Bert:

Resolved, That the second biennial message of Governor H. H. Markham be referred to a committee of seven, whose duty it shall be to segregate and refer the different subjects therein to appropriate sub-committees, with instructions; said committee to be appointed by the President.

Adopted.

MESSAGES FROM THE GOVERNOR—(RESUMED).

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 9, 1895.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the thirtieth session of the Legislature I have made the following appointments, and request your concurrence therein:

June 10, 1893. Francis L. Haynes, of Los Angeles, vice E. L. Stern, resigned, and Andrew Mullin, Los Angeles, vice F. A. Gibson, resigned, as Trustees of the Whittier State School.

October 17, 1893. F. E. Dornfeld, Santa Monica, Pilot for the Harbor of Santa Monica.

December 8, 1893. James W. Semmie, Los Angeles, Pilot for the Harbor of Redondo.

January 5, 1894. W. W. Stewart, San Diego, Member of the Board of State Harbor Commissioners for the Bay of San Diego, vice C. W. Pauly, resigned.

January 13, 1894. Andrew J. Ralston, of Alameda, Director of the Deaf, the Dumb, and the Blind Asylum, vice George C. Perkins, resigned.

February 8, 1894. Joseph Steffens, of Sacramento, Director of the State Insane Asylum at Stockton, vice Obed Harvey, deceased.

March 3, 1894. Forest S. Chadbourne, of San Francisco, Member of the State Board of Harbor Commissioners of San Francisco, vice W. H. Brown, term expired.

September 14, 1894. W. F. Knox, Jr., Trustee of the State Burial Ground, vice W. F. Knox, deceased.

October 10, 1894. W. C. Patterson, Los Angeles, Trustee of the Whittier State School, vice J. M. Elliott, resigned.

October 15, 1894. Robert A. Poppe, of Sonoma, Director of the California Home for the Care and Training of Feeble-Minded Children, vice W. S. Wood, resigned.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 9, 1895.

To the Senate of the State of California:

I hereby nominate A. P. Overton, of the county of Sonoma, to the office of Director of the California Home for the Care and Training of Feeble-Minded Children, to succeed himself, and respectfully ask your consent to the same.

Also:

I hereby nominate John Dillingham, of San Diego County, Port Warden for the Port of San Diego, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Senator Voorheis moved that the Senate proceed to consider forthwith the several appointments this day submitted by the Governor.

So ordered.

The President announced for consideration the confirmation of Francis L. Haynes, of Los Angeles, as Trustee of the Whittier State School, vice E. L. Stern, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Francis L. Haynes, of Los Angeles, as Trustee of the Whittier State School?" by direction of the President, the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Whereupon the President declared the appointment of Francis L. Haynes, of Los Angeles, as Trustee of the Whittier State School, duly confirmed.

The President announced for consideration the confirmation of Andrew Mullin, of Los Angeles, as Trustee of the Whittier State School, vice F. A. Gibson, resigned.

Upon the question, "Will the Senate advise and consent to the ap-

pointment of Andrew Mullin, of Los Angeles, as Trustee of the Whittier State School?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Whereupon the President declared the appointment of Andrew Mullin, of Los Angeles, as Trustee of the Whittier State School, duly confirmed.

The President announced for consideration the confirmation of F. E. Dornfeld, of Santa Monica, as Pilot for the Harbor of Santa Monica.

Upon the question, "Will the Senate advise and consent to the appointment of F. E. Dornfeld, of Santa Monica, as Pilot for the Harbor of Santa Monica?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

Whereupon the President declared the appointment of F. E. Dornfeld as Pilot for the Harbor of Santa Monica duly confirmed.

The President announced for consideration the confirmation of James W. Semmie, of Los Angeles, as Pilot for the Harbor of Redondo.

Upon the question, "Will the Senate advise and consent to the appointment of James W. Semmie as Pilot for the Harbor of Redondo?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Whereupon the President declared the appointment of James W. Semmie as Pilot for the Harbor of Redondo duly confirmed.

The President announced for consideration the confirmation of W. W. Stewart, of San Diego, as Member of the State Board of Harbor Commissioners for the Bay of San Diego, vice C. W. Pauly, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of W. W. Stewart, of San Diego, as Member of the State Board of Harbor Commissioners for the Bay of San Diego?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—39.

NOES—None.

Whereupon the President declared the appointment of W. W. Stewart, of San Diego, as Member of the State Board of Harbor Commissioners for the Bay of San Diego, duly confirmed.

The President announced for consideration the confirmation of Andrew J. Ralston, of Alameda, as Director of the Deaf, Dumb, and Blind Asylum, vice George C. Perkins, resigned.

Upon the question, "Will the Senate advise and consent to the

appointment of Andrew J. Ralston, of Alameda, as Director of the Deaf, Dumb, and Blind Asylum?" the roll was called, with the following result.

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—35.

NOES—None.

Whereupon the President declared the appointment of Andrew J. Ralston, of Alameda, as Director of the Deaf, Dumb, and Blind Asylum, duly confirmed.

The President announced for consideration the confirmation of Joseph Steffens, of Sacramento, as Director of State Insane Asylum at Stockton, vice Obed Harvey, deceased.

Upon the question, "Will the Senate advise and consent to the appointment of Joseph Steffens, of Sacramento, as Director of State Insane Asylum at Stockton?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

Whereupon the President declared the appointment of Joseph Steffens as Director of State Insane Asylum at Stockton duly confirmed.

The President announced for consideration the confirmation of Forest S. Chadbourne, of San Francisco, as Member of the Board of State Harbor Commissioners of San Francisco, vice W. H. Brown, term expired.

Upon the question, "Will the Senate advise and consent to the appointment of Forest S. Chadbourne, of San Francisco, as Member of the Board of State Harbor Commissioners of San Francisco?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Whereupon the President declared the appointment of Forest S. Chadbourne, as Member of the Board of State Harbor Commissioners of San Francisco, duly confirmed.

The President announced for consideration the confirmation of W. F. Knox, Jr., as Trustee of the State Burial Ground, vice W. F. Knox, deceased.

Upon the question, "Will the Senate advise and consent to the appointment of W. F. Knox, Jr., as Trustee of the State Burial Ground?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—38.

NOES—None.

Whereupon the President declared the appointment of W. F. Knox, Jr., as Trustee of the State Burial Ground, duly confirmed.

The President announced for consideration the confirmation of W. C. Patterson, of Los Angeles, as Trustee of the Whittier State School, vice J. M. Elliott, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of W. C. Patterson, of Los Angeles, as Trustee of the Whittier State School?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

Whereupon the President declared the appointment of W. C. Patterson, of Los Angeles, as Trustee of the Whittier State School, duly confirmed.

The President announced for consideration the confirmation of Robert A. Poppe, of Sonoma, as Director of the California Home for the Care and Training of Feeble-Minded Children, vice W. S. Wood, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Robert A. Poppe, of Sonoma, as Director of the California Home for the Care and Training of Feeble-Minded Children?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—32.

NOES—None.

Whereupon the President declared the appointment of Robert A. Poppe, of Sonoma, as Director of the California Home for the Care and Training of Feeble-Minded Children, duly confirmed.

The President announced for consideration the confirmation of A. P. Overton, of the county of Sonoma, to the office of Director of the California Home for the Care and Training of Feeble-Minded Children, to succeed himself.

Upon the question, "Will the Senate advise and consent to the appointment of A. P. Overton, of the county of Sonoma, as Director of the California Home for the Care and Training of Feeble-Minded Children?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Whereupon the President declared the appointment of A. P. Overton, of the county of Sonoma, as Director of the California Home for the Care and Training of Feeble-Minded Children, duly confirmed.

The President announced for consideration the confirmation of John Dillingham, of San Diego County, as Port Warden for the Port of San Diego, to succeed himself.

Upon the question, "Will the Senate advise and consent to the appointment of John Dillingham, of San Diego County, as Port Warden for the Port of San Diego?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.
NOES—None.

Whereupon the President declared the appointment of John Dillingham, of San Diego County, as Port Warden for the Port of San Diego, duly confirmed.

RESOLUTIONS.

By Senator Earl:

Resolved, That Lyle Pedlar be and he is hereby appointed Bookkeeper to the Sergeant-at-Arms, at a per diem of eight dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Mahoney, Martin, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—27.
NOES—None.

Whereupon the President declared Lyle Pedlar duly elected Bookkeeper to the Sergeant-at-Arms of the Senate.

By Senator Ford:

Resolved, That F. B. Mitchell be appointed Electrician of the Senate, at a per diem of four dollars, commencing January 8, 1895. The Controller is hereby directed to draw his warrant on the Treasurer for the same, payable out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.
NOES—None.

MOTION.

On motion of Senator Orr, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Resolved, That the Clerk be instructed to notify the Senate that the Assembly is organized by the election of the following officers:

J. C. Lynch	Speaker.
E. V. Spencer	Speaker pro tem.
S. J. Duckworth	Chief Clerk.
George C. Parkinson	Sergeant-at-Arms.
W. N. Lamphrey	Assistant Sergeant-at-Arms.
Andrew Branch	Assistant Clerk.
John Varcoe	Assistant Clerk.
R. Q. Wickham	Minute Clerk.
Arthur L. Fisher	Journal Clerk.
Herbert A. Kidder	Enrolling Clerk.
T. E. Atkinson	Engrossing Clerk.
Miss Carrie Brown	Postmistress.
Miss Eva McKay	Assistant Postmistress.

And awaits its pleasure in legislative business.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1—Relative to the election of the Governor and Lieutenant-Governor.

Also: Adopted Assembly Concurrent Resolution No. 2—Relative to making the arrangements for inaugural ceremonies.

MOTION.

Senator Orr moved that the Senate concur in Assembly Concurrent Resolution No. 1.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Resolved by the Assembly, the Senate concurring. That the Senate and Assembly meet in joint session in the Assembly Chamber, at two o'clock in the afternoon of Thursday, the tenth day of January, 1895, for the purpose of opening and publishing the election returns for Governor and Lieutenant-Governor.

The roll was called, and the resolution concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—39.

NOES—None.

MOTION.

Senator Ford moved that the Senate concur in Assembly Concurrent Resolution No. 2.

ASSEMBLY CONCURRENT RESOLUTION No. 2.

Resolved by the Assembly, the Senate concurring. That a committee of three from each house be appointed to confer with the Governor-elect to set the date and make the necessary arrangements for the inaugural ceremonies.

The roll was called, and the resolution concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

APPOINTMENT OF COMMITTEES.

The President appointed as the committee to confer with a like committee from the Assembly in conformity with Assembly Concurrent Resolution No. 2: Senators Langford, Orr, and Beard.

The President appointed Senators Bert, Earl, Androus, Hart, Seawell, Gesford, and McAllister as a committee to segregate and refer the different subjects contained in the biennial message of Governor H. H. Markham, in conformity with the resolution offered by Senator Bert.

MOTION.

Senator Orr moved that a committee of three be appointed by the President as a temporary Committee on Attachés, Contingent Expenses, and Mileage.

So ordered.

APPOINTMENT OF COMMITTEE.

The President appointed the following Senators as such committee: Senators Orr, Mahoney, and Dunn.

ADJOURNMENT.

At three o'clock and ten minutes P. M., the Senate, on motion of Senator Bert, adjourned to meet to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Thursday, January 10, 1895. }

The Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

MOTION.

Senator Androus moved that the Journal of Tuesday, January 8, 1895, be corrected as follows:

On pages ten and eleven, insert between the words "appointed" and "Assistant" the words "Register Clerk and," so as to read Register Clerk and Assistant File Clerk.

So ordered.

APPROVAL OF JOURNAL.

The Journal of Tuesday, January 8, 1895, and of Wednesday, January 9, 1895, were then approved.

RESOLUTIONS.

Senator Hoyt presented the following resolution, and moved its adoption:

Resolved, That the Secretary of State be empowered to appoint an additional engineer and fireman, at a per diem of five dollars (\$5), for the night-watch. The Controller is hereby directed to draw his warrant on the Treasurer for the same, payable out of the Contingent Fund of the Senate.

After the roll had been called and before the announcement of the vote, Senator McGowan moved that the resolution be referred to the temporary Committee on Attachés, Contingent Expenses, and Mileage.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Flint, Gleaves, Hart, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Shippee, Simpson, Smith, Toner, and Withington—16.

NOES—Senators Aram, Androus, Beard, Bert, Biggy, Earl, Ford, Franck, Gesford, Henderson, Holloway, Hoyt, Langford, Orr, Seymour, Shine, Voorheis, and Whitehurst—18.

The President then announced the adoption of the resolution by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

By Senator Hart:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed and directed to provide each newspaper representative assigned a seat upon the floor of the Senate, copies of any bill, resolution, or other document distributed by Pages of the Senate.

Adopted.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 10, 1895.

MR. PRESIDENT: Your Committee on Inaugural Ceremonies, to whom was referred the matter of conferring with the Governor-elect, the Hon. James H. Budd, as to the date for such ceremonies, have, in conjunction with the Assembly Committee, held such conference, and are informed by the Governor-elect that Friday next, the 11th day of January, 1895, at the hour of twelve o'clock noon, will be to him a convenient time for his inaugural, and respectfully report the same back and recommend that the inaugural ceremonies be held at that time in the Assembly Chamber of the Capitol.

B. F. LANGFORD, Chairman.
J. L. BEARD.
ORESTES ORR.

On motion of Senator Voorheis, the report of the committee was adopted and the committee discharged.

RECESS.

At eleven o'clock and thirty minutes A. M. the President declared a recess for twenty minutes.

REASSEMBLED.

At eleven o'clock and fifty minutes A. M. the Senate reassembled.
President Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

MOTION.

On motion of Senator Langford, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 3—Relative to the inaugural ceremonies of the Governor-elect.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Langford moved that the Senate concur in Assembly Concurrent Resolution No. 3.

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Resolved by the Assembly, the Senate concurring, That Friday, January 11, 1895, at twelve o'clock M., be the time set for the inaugural ceremonies of James H. Budd, Governor-elect.

The roll was called, and the resolution concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

RECESS.

At twelve o'clock M., on motion of Senator Orr, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

The Sergeant-at-Arms announced a committee from the Assembly.

The committee, consisting of Messrs. Waymire, Llewellyn, and Bachman, announced that the Assembly was awaiting the pleasure of the Senate to be convened in Joint Convention.

The President thereupon declared a recess in order that the Senate might forthwith proceed to the Assembly Chamber.

IN JOINT CONVENTION.

Proceedings of Joint Convention to canvass the returns of the election for Governor and Lieutenant-Governor.

IN ASSEMBLY CHAMBER.

At two o'clock P. M. the Senate and Assembly met in Joint Convention.

The President of the Senate, the Hon. John B. Reddick, directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

The Speaker of the Assembly, the Hon. J. C. Lynch, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll of the Assembly was called, and the following Assemblymen answered to their names:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

By direction of the President of the Senate the Secretary read the sections of the Political Code authorizing the Joint Convention for the canvass of the votes cast for the candidates for Governor and Lieutenant-Governor.

The President of the Senate appointed as tellers on the part of the Senate, Senators Hart and Mathews.

The Speaker of the Assembly appointed as tellers on the part of the Assembly, Messrs. Bettman and Laugenour.

The Speaker of the Assembly announced that the returns from all the counties in the State had been received.

The tellers announced the vote cast for Governor and Lieutenant-Governor, on the sixth day of November, 1894, as follows:

<i>For Governor.</i>	
James H. Budd.....	111,944
Morris M. Estee.....	110,738
Jonathan V. Webster.....	51,304
Henry French.....	10,559
J. J. De Haven.....	1
Whole number of votes cast for Governor.....	284,546

The Speaker of the Assembly thereupon declared the result as certified to by the Secretary of State and the tellers of the Convention to be: Total number of votes cast for Governor, 284,546; and that James H.

Budd having received the highest number of votes cast for Governor, was duly elected Governor of the State of California for the ensuing term, according to the Constitution and laws of the State of California.

For Lieutenant-Governor.

Spencer G. Millard.....	120,309
William T. Jeter.....	98,631
A. J. Gregg.....	48,658
C. H. Dunn.....	10,794
Hervey Lindley.....	1

Whole number of votes cast for Lieutenant-Governor..... 278,393

The Speaker of the Assembly thereupon declared the result to be: Total number of votes cast for Lieutenant-Governor, 278,393; and that Spencer G. Millard having received the highest number of votes cast at said general election for Lieutenant-Governor, was duly elected Lieutenant-Governor of the State of California for the ensuing term, according to the Constitution and laws of the State of California.

RESOLUTION.

By Mr. Pendleton:

Resolved, That the hour of twelve o'clock noon of Friday, January 11th, instant, be appointed as the time when the Governor and Lieutenant-Governor-elect shall take the official oath in the presence of both houses of the Legislature, in Joint Convention assembled, as required in and by Section 905 of the Political Code; that a committee of two Senators and two Assemblymen be appointed, respectively, by the President of the Senate and the Speaker of the House, to inform the Governor and Lieutenant-Governor of this action; that when this Joint Convention adjourns it will adjourn to meet at noon on January 11th, instant.

Adopted.

APPOINTMENT OF COMMITTEE.

The President of the Senate appointed Senators McGowan and Whitehurst as the Senators to inform the Governor in conformity with the above resolution.

The Speaker of the Assembly appointed Messrs. Pendleton and Reid as the Assemblymen to wait upon the Governor in conformity with the above resolution.

The minutes of the Joint Convention were then approved.

At three o'clock and forty-five minutes P. M. the President of the Senate declared the Joint Convention adjourned until twelve o'clock M. to-morrow, January 11, 1895.

REASSEMBLED.

At three o'clock and forty-five minutes P. M. the Senate reassembled. President Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

Senator Orr, from the temporary Committee on Attachés, Contingent Expenses, and Mileage, submitted the following report:

REPORT OF SPECIAL COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 10, 1895.

MR. PRESIDENT: Your temporary Committee on Attachés, Contingent Expenses, and Mileage have had under consideration the mileage and per diem of the temporary officers of the Senate, and beg leave to report that the following officers and attachés are entitled to mileage and per diem under the provisions of the Political Code:

<i>Mileage.</i>	
J. B. Reddick, President—146 miles.....	\$14 60
F. J. Brandon, Secretary—256 miles.....	25 60
R. Shaw, Assistant Secretary—346 miles.....	34 60
Alfred D. Bowen, Assistant Secretary—738 miles.....	73 80
Ray G. Falk, Minute Clerk—168 miles.....	16 80
Thomas Rodgers, Sergeant-at-Arms—168 miles.....	16 80
E. J. Niles, Clerk to Sergeant-at-Arms—956 miles.....	95 60
<i>Per Diem.</i>	
J. B. Reddick, President—6 days.....	\$60 00
F. J. Brandon, Secretary—1 day.....	8 00
R. Shaw, Assistant Secretary—1 day.....	8 00
Alfred D. Bowen, Assistant Secretary—6 days.....	48 00
Andrew Branch, Assistant Secretary and History Clerk—1 day.....	8 00
George Byron, Assistant Secretary—6 days.....	48 00
Thomas Rodgers, Sergeant-at-Arms—6 days.....	48 00
Ray G. Falk, Minute Clerk—2 days.....	16 00
M. F. Dillon, Assistant Minute Clerk—6 days.....	48 00
L. E. Richardson, Assistant Minute Clerk—6 days.....	48 00
George A. Leon, Journal Clerk—2 days.....	16 00
E. M. Ryan, Assistant Journal Clerk—6 days.....	48 00
Thomas Maher, Assistant Journal Clerk—6 days.....	48 00
C. N. Ragsdale, Engrossing Clerk—6 days.....	48 00
A. T. Graner, Assistant Engrossing Clerk—6 days.....	48 00
H. N. Campbell, Enrolling Clerk—6 days.....	48 00
Mrs. A. Atkinson, Postmistress—6 days.....	24 00
Rosa Lee, Assistant Postmistress—6 days.....	24 00
E. J. Niles, Bookkeeper and Clerk to Sergeant-at-Arms—6 days.....	48 00
Fred. Goodwin, Bill Clerk—6 days.....	30 00
C. Clark, File Clerk—6 days.....	30 00
E. W. Schaffer, Mail Carrier—6 days.....	24 00
Wm. Wadsworth, Doorkeeper—6 days.....	24 00
Geo. B. McIntyre, Gatekeeper—6 days.....	24 00
Jerry Todd, Gatekeeper—6 days.....	24 00
Ed. Lansing, Gatekeeper—6 days.....	24 00
J. W. Roberts, Gatekeeper—6 days.....	24 00
W. Hamilton, Gatekeeper—6 days.....	24 00
R. M. Terrill, Gatekeeper—2 days.....	8 00
Emil Nye, Porter—6 days.....	24 00
Wm. Sanderson, Porter—6 days.....	24 00
H. N. Block, Porter—6 days.....	24 00
A. Noble, Porter—2 days.....	8 00
John Scully, Porter—2 days.....	8 00
W. B. Price, Porter—6 days.....	24 00
Geo. B. Shearer, Watchman—6 days.....	24 00
James Maloney, Watchman—6 days.....	24 00
H. Peachy, Watchman—6 days.....	24 00
Samuel Solomon, Watchman—6 days.....	24 00
James Cullen, Watchman—6 days.....	24 00
R. Farrell, Watchman—2 days.....	8 00
Erle Byron, Page—6 days.....	18 00
Allie Floyd, Page—6 days.....	18 00
Chas Jones, Page—6 days.....	18 00
Edgar Stack, Page—2 days.....	6 00
W. A. Reddick, Page—6 days.....	18 00
Frank Smith, Page—6 days.....	18 00
Ray McFarland, Page—1 day.....	3 00
W. W. Martin, Page—2 days.....	6 00
P. B. Chambers, Senate Usher—6 days.....	30 00

ORR, Chairman.

Your committee also recommend the adoption of the following resolution:

Resolved, That the officers and employés be and they are hereby allowed the sums set opposite their respective names for mileage and per diem for attendance at the thirty-first session of the Senate, and the Controller is requested to draw his warrant for said amounts, to be paid out of the fund for contingent expenses of the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, January 10, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage have had under consideration the mileage of Senators, and beg leave to report the following Senators entitled to mileage, under the Political Code, for their attendance at the thirty-first session of the Senate:

S. N. Androus, 478 miles	\$95 60
E. Aram, 20 miles	4 00
C. S. Arms, 84 miles	16 80
J. L. Beard, 91 miles	18 20
E. F. Bert, 84 miles	16 80
W. J. Biggy, 84 miles	16 80
Bart. Burke, 205 miles	41 00
E. S. Denison, 91 miles	18 20
W. J. Dunn, 84 miles	16 80
G. C. Earl, 91 miles	18 20
John Fay, 84 miles	16 80
Thomas Flint, Jr., 173 miles	34 60
T. L. Ford, 119 miles	23 80
F. C. Franck, 128 miles	25 60
H. C. Gesford, 61 miles	12 20
J. M. Gleaves, 177 miles	35 40
E. C. Hart	
P. L. Henderson, 84 miles	16 80
J. C. Holloway, 141 miles	28 20
J. B. Hoyt, 40 miles	8 00
B. F. Langford, 48 miles	9 60
R. Linder, 211 miles	42 20
J. H. Mahoney, 84 miles	16 80
Noble Martin, 37 miles	7 40
J. R. Mathews, 478 miles	95 60
E. McAllister, 51 miles	10 20
F. McGowan, 312 miles	62 40
T. F. Mitchell, 84 miles	16 80
Orestes Orr, 392 miles	78 40
A. J. Pedlar, 169 miles	33 80
J. H. Seawell, 205 miles	41 00
E. C. Seymour, 588 miles	117 60
J. H. Shine, 100 miles	20 00
W. A. Shippee, 78 miles	15 60
C. M. Simpson, 478 miles	95 60
S. C. Smith, 278 miles	55 60
Hugh Toner, 84 miles	16 80
E. C. Voorheis, 59 miles	11 80
L. A. Whitehurst, 188 miles	37 60
D. L. Withington, 566 miles	113 20

Your committee also recommend the adoption of the following resolution:

Resolved, That the Senators above named be and are hereby allowed the amount set opposite their respective names for mileage for attendance on the thirty-first session of the Senate, and the Controller is requested to draw his warrant for said amount, to be paid out of the appropriation for per diem and mileage of Lieutenant-Governor and Senators.

ORESTES ORR, Chairman.

The roll was called, and the report of the committee adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

On motion of Senator Voorheis, the temporary Committee on Attachés, Contingent Expenses, and Mileage was discharged.

RESOLUTIONS.

By Senator Ford:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, payable out of the fund for the contingent expenses of the Senate, in favor of the Secretary of Senate, for the sum of seventy-five dollars, for rubber stamps and stencils, to be used by the clerks at the desk.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, Pedlar, Seawell, Shine, Simpson, Smith, Toner, Voorheis, and Withington—30.

NOES—None.

By Senator McAllister:

Resolved, That when this body adjourns on Friday that it do adjourn until Monday, January 14th, at two o'clock P. M.

Adopted.

By Senator Mahoney:

SENATE CONCURRENT RESOLUTION No. 1.

Resolved by the Senate, the Assembly concurring, That a committee of three be appointed by the President of the Senate to confer with a like committee from the Assembly, and the Inaugural Ball Committee of Sacramento City, upon the inaugural ball ceremonies.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Linder, Mahoney, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—26.

NOES—None.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Senator Hart, the Senate adjourned until to-morrow at eleven o'clock and thirty minutes A. M.

IN SENATE.

SENATE CHAMBER,

Friday, January 11, 1895. }

The Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Bert.

VERBAL COMMUNICATION.

President Reddick addressed the Senate in regard to the inability of the Lieutenant-Governor-elect, the Hon. Spencer G. Millard, to be present at this time at the Capitol on account of sickness.

He further said, that as there was some doubt as to a proper way for Mr. Millard, in his present location, to qualify, he had submitted the entire matter to the Attorney-General for his opinion.

The President then recited to the Senate the conclusions arrived at by the Attorney-General.

Senator Androus thereupon sent a dispatch to the desk of the Secretary, which was read, as follows:

LOS ANGELES, CAL., January 11, 1895.

To Senator S. N. ANDROUS, Capitol Building, Sacramento, Cal.:

I took official oath at five o'clock P. M., January 10th.

SPENCER G. MILLARD.

MOTION.

Senator Gesford moved that the President of the Senate appoint a committee of three to ascertain whether or not the Hon. Spencer G. Millard has duly qualified as Lieutenant-Governor of the State of California, and report their conclusions to the Senate.

Motion carried.

The President thereupon appointed as such committee Senators Gesford, Earl, and Ford, and suggested that they be prepared to report on Monday next.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 11, 1895.

MR. PRESIDENT: Your Committee on Inaugural Ceremonies respectfully report that the Governor-elect is now ready to proceed with the inaugural ceremonies in the Assembly Chamber, and awaits the pleasure of the Senate.

LANGFORD, Chairman.

COMMITTEE DISCHARGED.

The report of the special committee was, on motion of Senator Denison, accepted, and the committee discharged.

RECESS.

Whereupon, at eleven o'clock and thirty minutes A. M. the Senate took a recess, and proceeded in regular order to the Assembly Chamber to take part in the inauguration of the Hon. James H. Budd as Governor of the State of California.

MEETING OF THE SENATE AND ASSEMBLY IN JOINT SESSION.

Pursuant to Assembly Concurrent Resolution No. 3, the Senate and Assembly of the State of California met in joint session in the Assembly Chamber, at twelve o'clock m., Friday, January 11, 1895, for the purpose of inaugurating the Governor-elect, Hon. James H. Budd.

The joint session was called to order by the President of the Senate, J. B. Reddick, in conjunction with the Speaker of the Assembly.

The roll of Senators was called by the Secretary of the Senate, and the following responded to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

The roll of the Assembly was called by the Chief Clerk of the Assembly, and the following members responded to their names:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

President J. B. Reddick of the Senate and Speaker Lynch of the Assembly presiding.

Senator Langford, Chairman of the Joint Committee of the Senate and the Assembly on Inaugural Ceremonies, appeared at the bar of the House, and announced to the Speaker the presence of his Excellency Governor H. H. Markham and Hon. James H. Budd, Governor-elect.

Prayer by the Chaplain of the Assembly, Rev. O. Summers.

Speaker Lynch introduced Governor H. H. Markham, who made an address.

Senator Langford and Assemblyman Dinkelspiel, of the Joint Committee, introduced to the President of the Senate and the Speaker of the Assembly, Governor-elect James H. Budd.

The Governor-elect was then introduced to the members of the joint session by the Hon. J. B. Reddick, President of the Senate.

The oath of office was administered by the Hon. F. W. Henshaw, Justice of the Supreme Court of California, to the Governor-elect, as follows:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor according to the best of my ability.

Governor James H. Budd then delivered his inaugural address.

Proceedings of the joint session were read and approved.

On motion of Senator Androus, the joint session adjourned without day or date.

REASSEMBLED.

At one o'clock and forty-five minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTIONS.

By Senator Aram:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of the Secretary of State on the Senate contingent appropriation for the sum of one hundred and thirty-five (\$135) dollars, in payment for forty-five copies of Henning's Constitution, as per following resolution and attached bill:

Resolved, That the Secretary of State be and he is hereby authorized to purchase, and pay for out of the fund for contingent expenses of the Senate, forty-five copies of the latest pocket edition of the Constitution (Henning's), Codes, and Statutes of the State of California, and deliver the same to the Secretary of the Senate for the use of Senators and the Secretary of the Senate.

LOS ANGELES, CAL., January 10, 1895.

Mr. L. H. Brown, Secretary of State, to Chas. W. Palm Co., Dr.:

45 copies Henning's Constitution, at \$3. \$135 00

Received the above forty-five copies Henning's Constitution.

F. J. BRANDON, Secretary.

Correct: L. H. BROWN, Secretary of State.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

Also:

Resolved, That the State Printer be instructed to print fifteen hundred copies of the Governor's inaugural address, for distribution in the Senate.

Adopted.

ADJOURNMENT.

At two o'clock and thirty minutes P. M., the Senate, on motion, adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 14, 1895. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Dunn.

APPROVAL OF JOURNALS.

The Journals of Thursday, January 10, 1895, and of Friday, January 11, 1895, were approved.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 11, 1895.

To the Senate of the State of California:

I have the honor to inform you that I have appointed E. L. Colnon, of San Joaquin County, State of California, my Private Secretary, through whom all communications from this office will be transmitted to your honorable body.

JAMES H. BUDD, Governor.

COMMUNICATION.

A communication was received from Federal Labor Union No. 5761, Alameda County Federation of Trades, urging the need of an immediate investigation to the end that the lives and liberties of citizens may be assured and the laws of the State maintained.

Referred to Committee on Labor and Capital, when appointed.

QUESTION OF PRIVILEGE.

President Reddick called the attention of the Senate to the publication of certain articles in the "San Francisco Chronicle" and "Los Angeles Herald," misstating facts and reflecting somewhat upon the amicable relations existing between certain Senators and himself, and particularly conveying the idea that a misunderstanding had arisen

between Senator Androus and himself in regard to the office of Lieutenant-Governor.

He then declared the published statements were void of facts, unkind and misleading, as there had been no ill-feeling existing between those mentioned. No Senator had approached him in regard to what he should do in the matter, and he and all the Senators, so far as he knew, were in perfect accord.

MOTION.

On motion of Senator Orr, the Governor's message was taken up.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 14, 1895.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have, this day, appointed David W. Weldt, Pilot for the Port of Wilmington and Bay of San Pedro, vice himself, and ask the consent of the Senate to the same.

JAMES H. BUDD, Governor.

MOTION.

Senator Orr moved that the Senate proceed to consider forthwith the appointment submitted by the Governor.

So ordered.

The President announced for consideration the confirmation of David W. Weldt as Pilot for the Port of Wilmington and Bay of San Pedro, vice himself.

Upon the question, "Will the Senate advise and consent to the appointment of David W. Weldt as Pilot for the Port of Wilmington and Bay of San Pedro?" the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—39.

NOES—None.

Whereupon the President declared the appointment of David W. Weldt as Pilot for the Port of Wilmington and Bay of San Pedro duly confirmed.

RESOLUTION.

By Senator Ford:

Resolved, That the Senate Pages be allowed the use of room 58, for the purpose of holding meetings.

Adopted.

APPOINTMENT OF COMMITTEE.

The President appointed as the Committee on Inaugural Ball, Senators Mahoney, Androus, and Biggy.

MOTION.

Senator Aram moved that the rules of the Senate during the thirtieth session of the Legislature, be adopted as the temporary rules of the Senate for the present session.

AMENDMENT.

Senator McGowan moved to amend the motion by excepting therefrom Rule No. 8½.

Amendment accepted.

SUBSTITUTE.

Senator Ford moved as a substitute, that the President appoint a committee of three, to report on Tuesday morning, January 15, 1895, a set of rules for the temporary government of the Senate during the present session.

Substitute adopted.

APPOINTMENT OF COMMITTEE.

President Reddick thereupon appointed Senators Ford, McGowan, and Arms as a Committee on Temporary Rules of the Senate.

REPORT OF SPECIAL COMMITTEE.

The special committee appointed by the President to determine whether or not the Hon. S. G. Millard had legally qualified as Lieutenant-Governor, through its Chairman, Senator Gesford, reported as follows:

SENATE CHAMBER, January 14, 1895.

MR. PRESIDENT: Your special committee appointed to ascertain whether or not the Hon. Spencer G. Millard has duly qualified as Lieutenant-Governor of the State of California and to report their conclusions to the Senate, have performed the duties assigned them, and beg leave to report as follows:

Section 3 of Article XX of the Constitution of this State requires certain officers, including the Lieutenant-Governor, to take and subscribe the following oath:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of — — of the State of California according to the best of my ability."

This is the only oath, declaration, or test required as a qualification for any office or public trust.

There is no constitutional provision as to where or how such oath shall be taken.

Section 905 of the Political Code provides that the Lieutenant-Governor shall take the official oath in the presence of both houses of the Legislature in convention assembled.

After a careful investigation of the law and the authorities, your committee is clearly of the opinion that the provisions of Section 905 of the Political Code are directory merely and not mandatory; and that it is sufficient if the oath referred to be taken before any officer authorized to administer oaths within the State of California.

This oath was thus taken by Hon. Spencer G. Millard, Lieutenant-Governor, on the tenth day of January, 1895, at five o'clock p. m., and subsequent to the time when the vote for Lieutenant-Governor was opened and published as required by Section 4 of Article V of the Constitution of this State, and said oath, duly certified by W. H. Clark, Judge of the Superior Court of the State of California, for the county of Los Angeles, was, on the twelfth day of January, 1895, filed in the office of the Secretary of State, as required by the provisions of the Political Code of this State.

Your committee therefore conclude that Hon. Spencer G. Millard has duly qualified as Lieutenant-Governor of the State of California.

We herewith submit a duly certified copy of the said oath, and recommend that the same be entered in full upon the Journal of both the Senate and the Assembly.

Respectfully submitted.

HENRY C. GESFORD,
TIREY L. FORD,
GUY C. EARL,
Committee.

DULY CERTIFIED COPY.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant-Governor of the State of California according to the best of my ability.

(Signed):

SPENCER G. MILLARD.

Subscribed and sworn to before me, this tenth day of January, A. D. 1895.

W. H. CLARK,
Judge of the Superior Court of Los Angeles, State of California.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, L. H. Brown, Secretary of State of the State of California, do hereby certify that I have carefully compared the annexed copy of the oath of office of Spencer G. Millard, as Lieutenant-Governor of the State of California, with the original now on file in my office, and that the same is a correct transcript therefrom, and of the whole thereof. Also, that this authentication is in due form, and by the proper officer.

Witness my hand and the Great Seal of State, at office, in Sacramento, California, the fourteenth day of January, A. D. 1895.

[SEAL.]

L. H. BROWN, Secretary of State.
By W. T. SESNON, Deputy.

Senator Gesford then introduced the following resolution in conformity with the above report:

CONCURRENT RESOLUTION.

By Senator Gesford:

SENATE CONCURRENT RESOLUTION No. 2.

Resolved by the Senate, the Assembly concurring, That the certified copy of the official oath of Hon. Spencer G. Millard, Lieutenant-Governor of the State of California, as certified by the Secretary of State, January 14, 1895, be entered in full upon the Journal of each house.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

DULY CERTIFIED COPY.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant-Governor of the State of California according to the best of my ability.

(Signed):

SPENCER G. MILLARD.

Subscribed and sworn to before me, this tenth day of January, A. D. 1895.

W. H. CLARK,
Judge of the Superior Court of Los Angeles, State of California.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, L. H. Brown, Secretary of State of the State of California, do hereby certify that I have carefully compared the annexed copy of the oath of office of Spencer G. Millard, as Lieutenant-Governor of the State of California, with the original now on file in my office, and that the same is a correct transcript therefrom, and of the whole thereof. Also, that this authentication is in due form, and by the proper officer.

Witness my hand and the Great Seal of State, at office, in Sacramento, California, the fourteenth day of January, A. D. 1895.

[SEAL.]

L. H. BROWN, Secretary of State.
By W. T. SESNON, Deputy.

FAREWELL ADDRESS.

Lieutenant-Governor John B. Reddick, President of the Senate, then addressed the Senate as follows:

SENATORS: The official ties which for four years past have united us in our connection with the legislative department of our State government are now to be sundered. But I trust it is only officially that such ties are severed. During these years, on the part of all of us, I am aware strong and lasting personal likings have arisen, so that meeting as strangers we part as sworn friends. It is such knowledge that makes me loath to leave these halls and depart from daily association with you, though having no regrets that my public duties are ended. I shall bear with me into private life the most pleasurable memories of our association together in our official days. The most gratifying recollection that will hereafter come to me shall be, you were and are my friends. What more endearing thought? What more precious memory?

As your presiding officer it was ever my purpose to be just to all and partial to none. I believe I succeeded in so convincing you all. Your political faith never swayed me in according to you the right to be heard in speech as a Senator and servant of the people. In this I found the merit of my conscience and the reward of your approbation.

As your presiding officer, in ruling upon the varied and not infrequent intricate questions involving close distinctions in parliamentary law and practice, I remember but twice was an appeal taken from my decision; and it is with pardonable pride I note that in these two cases the decision of the Chair was sustained. Pardon me if I am egotistic in pointing to the record.

Senators, I recall no session of the Legislature to which the people have looked forward with greater hopes of good legislation than the present. The public pulse is feverish, and a spirit of unrest and expectancy is abroad. Reforms are demanded and economy exacted. Your constituents hope for legislation at your hands in behalf of the whole people, rather than in the interest of individuals or corporate powers. The immediate future of the commonwealth is in your keeping. Wise and just laws will insure its advancement and prosperity, while class or personal legislation may endanger public quietude.

Such being the case, your duties and responsibilities are of the most grave and serious nature. I shall watch, therefore, through the public press, your deliberations and proceedings with an equal degree of interest, as if personally present in this chamber.

I feel assured the public will not be disappointed. That its trust could be placed in no worthier hands than the honorable gentlemen who compose this, the thirty-first Senate of our beautiful State.

I bespeak for my successor the same courteous treatment you have ever accorded me. He has my sympathies in his present state of health, and I can but wish him a speedy recovery from that illness which now possesses him, and such a complete restoration from his enfeebled physical condition as will soon bring him amongst you, to the discharge of the duties imposed upon him by the verdict of last November.

The full fruition of the hopes and ambitions that inspire you, and each of you, is the wish of your retiring President.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, on taking the chair addressed the Senate as follows:

SENATORS: In assuming for the first time the position of presiding officer of this body, I desire to express my sincere appreciation of the high honor you have conferred upon me, and to assure you that I shall use my very best efforts to be fair and impartial toward you all.

No one regrets more than myself the unfortunate illness of Mr. Millard, and I believe I express the sentiment of every Senator upon this floor when I say that I hope and trust that he may speedily recover and be enabled to occupy the position to which the people of this State have elected him.

RESOLUTION.

By Senator Orr:

Resolved, That the attachés named below be and they are hereby allowed the sums set opposite their respective names, for per diem for attendance at the thirty-first session of the Senate, and the Controller is requested to draw his warrant for said amount, to be paid out of the fund for contingent expenses of the Senate:

C. A. Jamison, Porter—6 days.....	\$24 00
G. H. Dunlap, Watchman—6 days.....	24 00
A. L. Rossi, Clerk to Sergeant-at-Arms—6 days.....	48 00
C. W. Freeman, Gatekeeper—6 days.....	24 00
W. C. Rogers, Electrician—6 days.....	24 00
A. Noble, Porter—4 days.....	16 00
Thomas Kelly, Gatekeeper—6 days.....	24 00
T. H. Simpson, Mailing Clerk—6 days.....	30 00
Frank Martin, Page—6 days.....	18 00

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—33.

NOES—None.

ADJOURNMENT.

At two o'clock and thirty-five minutes P. M., on motion of Senator Biggy, the Senate adjourned until to-morrow at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 15, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

REPORT OF SPECIAL COMMITTEE.

ON TEMPORARY RULES FOR THE GOVERNMENT OF THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 14, 1895.

MR. PRESIDENT: Your special committee to whom was referred the matter of temporary rules for the government of the Senate, have performed the duties assigned them, and respectfully recommend the adoption of the following temporary rules, to wit:

FORD, Chairman

TEMPORARY RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate, commencing Tuesday, January 22, 1895, shall be ten o'clock A. M. until February 20, 1895 (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting; and a recess shall be taken from twelve o'clock M. to one o'clock and thirty minutes P. M.; *provided*, that on Mondays the time of meeting shall be two o'clock P. M. After February 20, 1895, the time of meeting of the Senate shall be ten o'clock, and a recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approving of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Report of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Special File.
8. Third Reading of Bills.
9. Second Reading of Bills.
10. Motions, Resolutions, and Notices.
11. First Reading of Bills.
12. Unfinished Business of the preceding day.
13. Special Orders of the day.
14. Reports from the Committee on Enrollment and on Engrossment shall at all times be in order; *provided*, that the messages from the Governor, State officers, and from the Assembly, may, on motion of any Senator, be considered at any time.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized, shall present the same; and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall, by vote of ayes and noes, dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator have objected to such reading). Joint and concurrent resolutions shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise directs.

VII.—THE GENERAL FILE; ITS HOURS—SPECIAL ORDER OF BILLS ON FILE.

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes p. m., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VIII.—ORDER MAKING SPECIAL FILE.

The Secretary shall, from time to time, make up a file to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Senate, and he shall place no other bills thereon.

IX.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable the Senators to understand their general purport.

X.—ENGROSSED BILLS TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

XI.—ENGROSSED BILLS HAVE PREFERENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

XII.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

XIII.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XIV.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XV.—SHORT OF FINAL QUESTION, TWO-THIRDS VOTE NOT REQUISITE ON PROPOSITION TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XVI.—STANDING COMMITTEES.

The following Standing Committees shall be appointed :

1. Agriculture, Horticulture, Viniculture, and Viticulture—nine members.
2. Attachés, Contingent Expenses, and Mileage—five members.
3. Banks and Banking—seven members.
4. City, City and County, and Town Governments—nine members.
5. Claims—seven members.
6. Commerce and Navigation—seven members.
7. Constitutional Amendments—five members.
8. Corporations—eleven members.
9. Counties and County Boundaries—nine members.
10. County Government and Township Organization—nine members.
11. Education and Public Morals—seven members.
12. Elections—seven members.
13. Enrolled and Engrossed Bills—seven members.
14. Federal Relations and Immigration—seven members.
15. Finance—seven members.
16. Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game—five members.
17. Harbors, Rivers, and Coast Defenses—five members.
18. Hospitals—five members.
19. Irrigation and Water Rights—thirteen members.
20. Judiciary—fourteen members.
21. Labor and Capital—nine members.
22. Mines, Drainage, and Mining Debris—seven members.
23. Military Affairs—seven members.
24. Public Buildings other than Prison Buildings—eleven members.
25. Public Printing—three members.
26. Public and Swamp and Overflowed Lands—five members.
27. Roads and Highways—seven members.
28. State Library and Rules—three members.
29. State Prisons and Prison Buildings—nine members.

XVI½.

No leave of absence shall be granted to any greater number than three of any standing or special committee, for the purpose of visiting any public building or institution, except by a two-thirds vote of the entire Senate.

XVII.—COMMITTEES APPOINTED BY THE PRESIDENT OF THE SENATE.

All committees of the Senate, standing and special, and all joint committees on the part thereof, shall be appointed by the President of the Senate, unless otherwise specially ordered.

XVIII.—CLERKSHIPS OF COMMITTEES.

The Chairman of each committee may appoint a Clerk without permission of the Senate.

XIX.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XX.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

XXI.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XXII.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any Senator, and read by the Secretary before the same shall be debated. A motion may be withdrawn at any time before amendment.

XXIII.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXIV.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate, on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXV.—THE SENATOR ENTITLED TO FLOOR.

When two or more Senators rise at once, the President shall name the Senator who is to speak first.

XXVI.—SENATOR, WHEN CALLED TO ORDER, MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXVII.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT ON THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVIII.—AYES AND NOES—MEMBERS MUST ANSWER—NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly, and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

XXIX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn; *provided, however*, that it shall require twenty-one votes to carry any motion to reconsider the vote by which any bill has been passed or defeated. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXX.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator give notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXI.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL—VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall also be inserted in the Journal.

XXXIII.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXIV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXV.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed, without a vote of three fifths, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of three fifths of the Senators present, except that portion of Rule VI relating to the final passage of bills. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

XXXVI.—POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate; he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

XXXVII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXVIII.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

XXXIX.—SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms, for every arrest, for each day's custody and release, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and, if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XL.—MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a Senator is addressing the Senate.

XLI.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons, except Senators, members of the Assembly, State officers, officers of the two houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator; and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIII.—PRINTING.

Five hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator, and a number equal to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLIV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLV.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

XLVI.—ORDER OF ENGROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all Senate Bills shall, after their final passage by and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and also a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate, required by law.

XLVIII.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution, shall have the privilege of closing the debate.

XLIX.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

L.—FORM OF PREVIOUS QUESTION—CALL OF SENATE.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question.

LI.

A Senator, after the notice of motion to reconsider is given, as provided in Rule XXIX, may, at the time of consideration of such motion, present the main question in his argument thereon, and the same may be debated by the Senate.

MOTION.

Senator Aram moved that the report of the Special Committee on Rules be adopted and the committee discharged.

Rules adopted and committee discharged.

RESOLUTION.

Senator Mahoney offered the following resolution, and moved its adoption:

Resolved, That on the first day of introduction of bills the Secretary shall call the roll, and as each Senator's name is called he be permitted to introduce his bills.

Adopted.

PRESENTATION OF PETITIONS.

Senator Ford presented the following petition, and asked that same be referred to Committee on Elections, when appointed:

So ordered.

To the Honorable Senators and Representatives in the thirty-first session of the Legislature of the State of California:

Your petitioners respectfully represent:

THAT WHEREAS, It has always been a proverbial expression amongst the people of our country ever since the founding of our government that the "*will of the people is the law of the land*"; and

WHEREAS, Notwithstanding this and other broad claims of our having, in form and in practical reality, a people's government, still the fact exists that our laws do not provide for the legislator or the public to know with certainty the sentiment of the voters respecting *any one separate public question*; and

WHEREAS, Under the laws now governing elections, neither does the system of elections now in use provide a complete nor any means whatever by which the correct sentiment of the people respecting questions of public interest can be ascertained and be made known to the public, and the present system of elections being so expensive

and encumbered with so many details, and that to establish the Referendum into our legislative system, which without doubt the popular will of the people favors, there would then be elections required more frequently, and consequently there would be still greater election expenses incurred than now; but the plan of "Advance Referendum," described in the Columbian Secret Question Ballot System, does not propose, in this connection, to be intended for the purpose of electing nominees to office, nor for making laws, nor for ratifying laws already made by legislation. It is only for the purpose of enlightening or educating the public in the particular respect described; and therefore the purpose is of a different nature from that of electing men or making laws, and it is proposed the plan is much less expensive and a more efficient method for its purpose herein intended, and perhaps may eventually prove to be a better system of election than any other for all purposes of election; and

WHEREAS, Nature's resources have been of late years so greatly developed, causing such vast improved changes in the facilities for transportation of every conceivable nature, most especially respecting the transportation of intelligence, which, together with the many other advantages of modern advancements, and through recourse to our efficient mail service, there can doubtless be an entirely efficient and much less expensive method for establishing the Referendum into our legislative system than by the present expensive election board and ballot-box; and

WHEREAS, To carry the "Referendum" into practical effect completely, there should be (as outlined in the Columbian Secret Question Ballot System) a board of commissioned officers provided, to be at all times in readiness to act in a similar capacity as that of an election board, which, to effect, would require amendments to the Constitution. But doubtless there can be such changes in the present laws and new laws made for the special purpose of accomplishing a system of "Advance Referendum" which would not require any amendments to be made to the Constitution of the nation or of the State, which to do would require years of time to accomplish; and yet such an election board could be provided at all times to be in readiness to act; hence the chief object of this petition is that laws may be provided which will not require amendments to the Constitution of the nation or of the State, but will be such as to take effect and be put into immediate practical use as soon as enacted. For the reason that there is at this time such a state of dissatisfaction and unrest existing amongst the people, chiefly from causes emanating (it is believed by many to be) from a faulty system of representation of the people, which fails to provide efficient laws for securing legislation in accordance to the majority voice of the voters, or even to provide that the voice of the people may be correctly known to the legislator or the public, until verily, our nation is in imminent danger of being thrown into civil war at any moment; and

WHEREAS, It is imperatively necessary that before legislation can be made in accordance with the *will of the voters*, there *must, first*, be provision for the *will of the voters* to be reliably ascertained and made known to the legislator and the public. The means used therefor must clearly set forth that the purpose is solely to thereby educate the public accordingly, and also must needs be entirely separated and apart from elections which place nominees in their official seats.

If the Government can make provision by law, or will at once without delay proceed to endeavor to provide for the sentiment of the voters to be unmistakably known, whether by some improved means or by the present means at hand, whichever bids the fairest to bring the quickest practical desired results, it will go far to appease the suffering masses and lessen the liabilities of a civil war coming upon our nation, and perhaps may be the chief or entire cause of averting such a calamity from occurring.

Therefore your petitioners, having a legal right to the elective franchise, and being residents of the State of California, whose names are hereunto affixed, respectfully and urgently pray that your honorable body will cause a committee to be appointed at the earliest day that it is in your power to do, whose duty it shall be to investigate and report what methods, if any, can be devised that can be made practical for the purpose of obtaining the sentiment of the voters of the State of California respecting public questions, in a lawful and authoritative manner; and to investigate what changes may be devised, if necessary to be made, respecting laws now existing, and also may advise making such other new laws as may seem advisable in order to provide a less expensive and more convenient and efficient method than the present expensive, cumbrous, and inefficient system of election boards and the ballot-box, for ascertaining the sentiment of the voters respecting public questions; and if such object cannot be attained by recourse to our mail service, then to endeavor to so change and amend the present system of election as to provide means by which the sentiment of the people respecting public questions may be ascertained and be known to the public, without necessitating years of time to be consumed for its accomplishment, but as quickly as possible, for the reasons above set forth.

N. B. Only legal citizen-voters of California will sign this petition.

WILLIAM H. H. HART, 522 Ellis Street, San Francisco.

PHILIP G. GALPIN, 1738 Broadway, San Francisco.

JOHN K. McLEAN, 520 Thirteenth Street, Oakland.

E. H. PARDEE, 672 Eleventh Street, Oakland.

W. E. DARGIE, Oakland.

R. THOMPSON, 1341 Valencia Street, San Francisco.

C. W. CROSS, 101 Sansome Street, San Francisco.

C. B. WILLIAMS, 420 Church Street, San Francisco.

A. L. RHODES, 430 California Street, San Francisco.
GEORGE C. PARDEE, 526 Montgomery Street, San Francisco.
PETER C. YORKE, 1100 Franklin Street, San Francisco.
A. W. THOMPSON, 913 Twentieth Street, San Francisco.
E. R. DILLE, 1210 Mission Street, San Francisco.
A. BRETZ, 1006 Franklin Street, Oakland.
MAX POPPER, 207 Larkin Street, San Francisco.
J. F. SMITH, 331 Phelan Building, San Francisco.
THOMAS V. CATOR, 212 Sansome Street, San Francisco.
SAMUEL FLINT, 1718 Eighth Street, Oakland.
JOHN M. FULWEILER, Auburn, Cal.
WILLIAM D. ENGLISH, 128 Tenth Street, Oakland.
CHARLES J. SWIFT, 216 Bush Street, San Francisco.

RECESS.

At ten o'clock and fifteen minutes A. M., on motion of Senator Orr, the Senate took a recess until eleven o'clock A. M.

REASSEMBLED.

At eleven o'clock A. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SENATE JOINT RESOLUTION—(OUT OF ORDER).

Senator Mathews asked permission to introduce a Senate Joint Resolution.

Granted.

By Senator Mathews: Senate Joint Resolution No. 1—Relating to the passage of House Resolution 119, Fifty-third Congress, in the Senate of the United States:

WHEREAS, There is now before a Select Committee on Forest Reservations in the Senate of the United States, a bill to protect forest reservations and secure favorable conditions of water flow, which, if passed, will add greatly to the wealth of the nation, and particularly to the State of California; therefore be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That we instruct our Senators, and urgently request our Representatives in Congress from this State, that they use every means in their power to secure the passage of House Resolution 119, pertaining to "the protection of public forest reservations."

Resolved. That the Governor be requested to transmit to each of our Senators and Representatives in Congress from this State a copy of these resolutions.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, when appointed.

STANDING COMMITTEES.

The President pro tem. then announced the Standing Committees of the Senate, as follows:

Agriculture, Horticulture, Viniculture, and Viticulture (nine members).—Senators Shippee (Chairman), Hoyt, Franck, Pedlar, Androus, Gesford, McAllister, Langford, Martin.

Attachés, Contingent Expenses, and Mileage (five members).—Senators Hart (Chairman), Holloway, Flint, Arms, McAllister.

Banks and Banking (seven members).—Senators Denison (Chairman), McGowan, Gleaves, Aram, Whitehurst, Langford, Fay.

City, City and County, and Town Governments (nine members).—Senators Simpson (Chairman), Earl, Hart, Bert, Denison, Gesford, McAllister, Mathews, Whitehurst.

Claims (seven members).—Senators Franck (Chairman), Ford, Androus, Seymour, Biggy, Arms, Langford.

Commerce and Navigation (seven members).—Senators Mahoney (Chairman), McGowan, Simpson, Denison, Fay, Seawell, Mitchell.

Constitutional Amendments (five members).—Senators Hart (Chairman), Earl, Orr, Seawell, Burke.

Corporations (eleven members).—Senators Orr (Chairman), Flint, Hart, Shippee, Mahoney, Androus, Linder, Seawell, Arms, Mathews, Henderson.

Counties and County Boundaries (nine members).—Senators Linder (Chairman), Denison, Orr, Franck, Voorheis, Dunn, Mathews, McAllister, Whitehurst.

County Government and Township Organization (nine members).—Senators Withington (Chairman), Voorheis, Pedlar, Aram, Smith, Seymour, Gesford, Burke, Henderson.

Education and Public Morals (seven members).—Senators Earl (Chairman), Withington, Androus, Ford, McAllister, Henderson, Martin.

Elections (seven members).—Senators Aram (Chairman), Simpson, Smith, Beard, Arms, Fay, Burke.

Enrolled and Engrossed Bills (seven members).—Senators Smith (Chairman), Beard, Seymour, Mahoney, Biggy, Toner, Dunn.

Federal Relations and Immigration (seven members).—Senators Beard (Chairman), Simpson, Orr, Voorheis, Dunn, Burke, Mitchell.

Finance (seven members).—Senators Voorheis (Chairman), Bert, Hoyt, Linder, Langford, Mathews, Biggy.

Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game (five members).—Senators Voorheis (Chairman), Flint, Shine, Dunn, Toner.

Harbors, Rivers, and Coast Defenses (five members).—Senators Gleaves (Chairman), McGowan, Withington, Dunn, Mitchell.

Hospitals (five members).—Senators Pedlar (Chairman), Shine, Holloway, Martin, Toner.

Irrigation and Water Rights (thirteen members).—Senators Seymour (Chairman), Linder, Simpson, Aram, Shippee, Smith, Withington, Pedlar, Holloway, Langford, Martin, Fay, Whitehurst, Gesford.

Judiciary (fourteen members).—Senators McGowan (Chairman), Earl, Ford, Hart, Orr, Simpson, Aram, Bert, Withington, Seawell, Gesford, McAllister, Burke, Henderson.

Labor and Capital (nine members).—Senators Holloway (Chairman), Mahoney, McGowan, Shine, Beard, Fay, Mitchell, Arms, Toner.

Mines, Drainage, and Mining Debris (seven members).—Senators Ford (Chairman), Voorheis, Aram, Gleaves, Martin, Toner, Fay.

Military Affairs (seven members).—Senators Bert (Chairman), Pedlar, Withington, Gleaves, Mathews, Henderson, Arms.

Public Buildings other than Prison Buildings (eleven members).—Senators Androus (Chairman), Shine, Denison, Shippee, Linder, Franck, Biggy, Gesford, Mathews, Mitchell, Seawell.

Public Printing (three members).—Senators Ford (Chairman), Mahoney, Henderson.

Public and Swamp and Overflowed Lands (five members).—Senators Hoyt (Chairman), Franck, Linder, Langford, Toner.

Roads and Highways (seven members).—Senators Shine (Chairman), Gleaves, Smith, Hoyt, Burke, Martin, Whitehurst.

State Library and Rules (three members).—Senators Earl (Chairman), Flint, Seawell.

State Prisons and Prison Buildings (nine members).—Senators Flint (Chairman), Mahoney, Shippee, Bert, Ford, Whitehurst, McAllister, Dunn, Arms.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Aram: Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Referred to Committee on Claims.

Also: Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Referred to Committee on Judiciary.

By Senator Androus: Senate Bill No. 4—An Act to provide for the payment for the advertising of the constitutional amendments and to make an appropriation therefor.

Referred to Committee on Claims.

By Senator Beard: Senate Bill No. 5—An Act to amend section six hundred and two of the Penal Code.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 6—An Act making an appropriation to pay deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Referred to Committee on Finance.

Also (by request): Senate Bill No. 7—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

Referred to Committee on Claims.

Also (by request): Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Referred to Committee on Judiciary.

By Senator Bert (by request): Senate Bill No. 9—An Act to appropriate money for the payment of the claims of Francis O'Hara and Richard Walsh, under the provisions of an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April 27, 1863.

Referred to Committee on Claims.

Also: Senate Bill No. 10—An Act to prescribe conditions upon which certain insurance associations, known as Lloyds, may be admitted to transact insurance business in this State.

Referred to Committee on Corporations.

Also: Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships or individuals may be permitted to transact insurance business in the State of California.

Referred to Committee on Corporations.

Also: Senate Bill No. 12—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State.

Referred to Committee on Corporations.

Also: Senate Bill No. 13—An Act to provide for investigation of fires by insurance departments, and to make provisions for the expenses of the same.

Referred to Committee on Corporations.

Also: Senate Bill No. 14—An Act appropriating two hundred and

fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Referred to Committee on Finance.

Also: Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Referred to Committee on Judiciary.

Also: Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Referred to Committee on Claims.

By Senator Biggy: Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 19—An Act to authorize the incorporation of mutual associations, to transact the business of life or accident insurance on the assessment plan, and to control such corporations of this State and corporations of other States transacting the business of assessment insurance in this State, and providing and fixing the punishment for violation of the provisions hereof.

Referred to Committee on Corporations.

By Senator Denison: Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Referred to Committee on Corporations.

By Senator Dunn: Senate Bill No. 21—An Act to prevent evil-disposed persons from coming upon the State Prison grounds.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Referred to Committee on Hospitals.

By Senator Earl: Senate Bill No. 23—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of California,

relating to setting apart property from a decedent's estate for the use of the family.

Referred to Committee on Judiciary.

Also: Senate Bill No. 26—An Act entitled an Act to amend the Act of March 14, 1891, entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress, waiving the title of the State to lands therein, and accepting the provisions made therefor under section two thousand two hundred and seventy-five of the Revised Statutes of the United States."

Referred to Committee on Federal Relations and Immigration.

Also: Senate Bill No. 27—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Fay: Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over," approved March 12, 1885.

Referred to Committee on Judiciary.

Also: Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or sea wall, of the port of San Francisco.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

By Senator Flint: Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Referred to Committee on Judiciary.

By Senator Ford: Senate Bill No. 31—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Referred to Committee on Finance.

Also: Senate Bill No. 32—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Referred to Committee on Judiciary.

Also: Senate Bill No. 33—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Judiciary.

Also: Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Judiciary.

Also: Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Referred to Committee on Judiciary.

Also: Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan for the partial construction by him of the Branch State Prison at Folsom, California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 37—An Act to regulate the business of running

and conducting sleeping-cars for profit over railroads within the State of California, and to provide a penalty for the violation of this Act.

Referred to Committee on Corporations.

Also: Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 39—An Act to amend section one thousand six hundred and ninety-nine of the Civil Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 41—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Referred to Committee on Judiciary.

By Senator Franck: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Referred to Committee on City, City and County, and Town Governments.

By Senator Gesford: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 44—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Referred to Committee on Finance.

Also: Senate Bill No. 45—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, powers, and duties of receivers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relative to salaries of Judges of Superior Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 47—An Act to amend an Act approved March 1, 1893, entitled an Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of an indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks'; also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this

State," relating to the issuance of bonds by municipalities for public improvement.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 48—An Act to amend section one hundred and eighty-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of county and township officers of counties of the nineteenth class.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 49—An Act to amend section seventy-three of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 50—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of Court to be made and the proceedings to be had upon the filing of petitions in insolvency.

Referred to Committee on Judiciary.

Also: Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Referred to Committee on Hospitals.

Also: Senate Bill No. 52—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act, relating to debtors discharged.

Referred to Committee on Judiciary.

Also: Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 54—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of Court to be made, and proceedings to be had, upon the filing of petitions in insolvency.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 55—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 56—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen

of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property or the want thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act, approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association,' approved March 7, 1883 providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Referred to Committee on Hospitals.

Also: Senate Bill No. 58—An Act to amend section one hundred and thirty-two of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the duties of County Recorder.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Referred to Committee on Judiciary.

By Senator Gleaves: Senate Bill No. 60—An Act empowering the State Board of Harbor Commissioners to lay out and improve certain property on the west side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

Also: Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground, between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

Also: Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

Also: Senate Bill No. 63—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 64—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

Also: Senate Bill No. 65—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

Also: Senate Bill No. 66—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Referred to Committee on Judiciary.

Also: Senate Bill No. 67—An Act to authorize State Agricultural Societies, under the control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest, to prescribe a course of procedure therefor, to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Referred to Committee on Judiciary.

Also: Senate Bill No. 68—An Act for the relief of F. E. Jackson for personal injuries received by him while in the service of the State.

Referred to Committee on Claims.

Also: Senate Bill No. 69—An Act to pay the claim of William G. Hall.

Referred to Committee on Claims.

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Referred to Committee on Claims.

Also: Senate Bill No. 71—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Referred to Committee on Claims.

By Senator Biggy: Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Referred to Committee on Claims.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SENATE CONSTITUTIONAL AMENDMENTS.

The following Senate Constitutional Amendments were introduced and referred to Committee on Constitutional Amendments:

By Senator McGowan: Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to article nine of the Constitution, section seven, relative to the free distribution of State text-books to the common schools of the State of California.

Also: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

By Senator Mathews: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Also: Senate Constitutional Amendment No. 5—Relative to amending Constitution of State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

By Senator Voorheis: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

By Senator Withington (by request): Senate Constitutional Amendment No. 7—Proposed constitutional amendment, relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

INTRODUCTION OF BILLS—(RESUMED).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McAllister: Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 74—An Act to appoint a committee to report to the thirty-second session of the Legislature, on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Referred to Committee on Finance.

By Senator Mahoney: Senate Bill No. 76—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said engineer.

Referred to Committee on Labor and Capital.

By Senator McGowan: Senate Bill No. 77—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be

made, and the proceedings to be had thereon; also by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also by amending section thirty-five of said Act, relating to insolvency proceedings by or against partnerships and corporations; also by amending section forty-eight of said Act, relating to debtors' discharge; also by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also by amending section sixty-four of said Act, relating to contempts; also by amending section sixty-five of said Act, relating to preferred claims for costs; also by amending section sixty-seven of said Act, relating to appeals.

Referred to Committee on Judiciary.

Also: Senate Bill No. 78—An Act entitled "An Act to amend the Code of Civil Procedure of the State of California" by adding a new section thereto, to be known and numbered as section four hundred and sixty-six, relative to certain actions when taxes have not been paid.

Referred to Committee on Judiciary.

Also: Senate Bill No. 79—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Referred to Committee on Judiciary.

Also: Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Referred to Committee on Judiciary.

Also: Senate Bill No. 82—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 83—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 84—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 85—An Act entitled an Act to define who are electors.

Referred to Committee on Elections.

Also: Senate Bill No. 86—An Act entitled "An Act to add a section to the Political Code of the State of California," to be known as section number fifty-three, relating to women citizens.

Referred to Committee on Elections.

Also: Senate Bill No. 87—An Act to provide for the incorporation of mutual fire insurance companies, and to define their powers and duties.

Referred to Committee on Corporations.

Also: Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Referred to Committee on Corporations.

Also: Senate Bill No. 90—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Referred to Committee on Elections.

Also: Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authenticity of marriages.

Referred to Committee on Judiciary.

Also: Senate Bill No. 92—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Referred to Committee on Elections.

Also: Senate Bill No. 93—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Referred to Committee on Elections.

Also: Senate Bill No. 94—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Referred to Committee on Judiciary.

Also: Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 96—An Act to provide for incorporation, operation, and management of coöperative associations.

Referred to Committee on Corporations.

Also: Senate Bill No. 97—An Act to regulate the trial of actions for a divorce.

Referred to Committee on Judiciary.

Also: Senate Bill No. 98—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to the establishment of high schools, and to provide for their support.

Referred to Committee on Judiciary.

Also: Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Referred to Committee on Judiciary.

By Senator Mitchell: Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Referred to Committee on Claims.

By Senator Mathews: Senate Bill No. 101—An Act concerning the government of irrigation districts, and to require certain orders and resolutions of the Boards of Directors of such districts to be approved by the Board of Supervisors, and to permit certain assessments to be paid in past due coupons.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 102—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 106—An Act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 107—A proposed Act to regulate the manufacture and sale of commercial fertilizers.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 108—An Act to authorize the several counties of this State to provide for the construction and operation of railroads within their several counties, and to create a bonded indebtedness for that purpose.

Referred to Committee on Corporations.

Also: Senate Bill No. 109—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to provide for the organiza-

tion, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Orr: Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 111—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 112—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulate the procedure therein."

Referred to Committee on Judiciary.

Also: Senate Bill No. 113—An Act to prevent the use of fraudulent marks on merchandise.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also (by request): Senate Bill No. 114—An Act to amend subdivision thirty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to appropriations to encourage immigration.

Referred to Committee on County Government and Township Organization.

By Senator Orr: Senate Bill No. 115—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health, and the Board of Health of the City and County of San Francisco," approved March 31, 1891.

Referred to Committee on Judiciary.

Also: Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

Referred to Committee on Banks and Banking.

By Senator Pedlar: Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 118—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Referred to Committee on Claims.

Also: Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno, from three to two.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 120—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the

admission of attorneys and counselors at law to practice in the Courts of record.

Referred to Committee on Judiciary.

Also: Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury, to the uses of the Mendocino Asylum.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Referred to Committee on Judiciary.

Also: Senate Bill No. 123—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 125—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to the qualifications of a Notary Public.

Referred to Committee on Judiciary.

Also: Senate Bill No. 126—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, relating to percentage to be collected by officers, to be known as section four thousand three hundred and thirty-four.

Referred to Committee on Judiciary.

Also: Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Senate Bill No. 128—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter-claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable on demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided, as a condition of employment; to fix a penalty for the violation of the provisions of this Act by such corporations, and to provide for the disposition of any fines received from corporations violating the same.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 129—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum;

to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 130—An Act to amend sections ten and eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the assistant physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation.

Referred to Committee on Hospitals.

By Senator Seymour: Senate Bill No. 131—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Referred to Committee on Corporations.

Also: Senate Bill No. 132—An Act to amend sections one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand six hundred and seventy of the Political Code, relating to the public schools.

Referred to Committee on Judiciary.

Also: Senate Bill No. 133—An Act to prohibit officers or employes of savings banks from holding any office in any national, commercial, or State bank, and to prohibit the location of any savings bank, or its continuance in business, in any building in which the business of a national, State, or commercial bank is conducted.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter for the years 1890, 1892, and 1893.

Referred to Committee on Finance.

Also: Senate Bill No. 135—An Act to amend section three thousand six hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the time and manner of assessing property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 136—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 137—An Act to amend an Act entitled "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889, in relation to the salary of Secretary.

Referred to Committee on Hospitals.

Also: Senate Bill No. 138—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 139—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 140—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 141—An Act to repeal an Act entitled "An Act supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act," approved March 25, 1893.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 142—An Act regulating and fixing the liability of inn keepers, hotel keepers, boarding and lodging-house keepers, with respect to the trunks, valises, traveling bags, bundles, packages, and their contents, and the personal property of guests, boarders, and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 143—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending sections fifty-seven and one hundred and eighty-six, relating to county officers, their appointments, duties, and compensation.

Referred to Committee on County Government and Township Organization.

By Senator Langford: Senate Bill No. 144—An Act entitled an Act to provide for the inheriting of community property by married women upon the death of the husband.

Referred to Committee on Judiciary.

Also: Senate Bill No. 145—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent traveling on railroads without payment of fare.

Referred to Committee on Judiciary.

Also: Senate Bill No. 146—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Referred to Committee on Judiciary.

Also: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Referred to Committee on Judiciary.

By Senator Shine: Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 149—An Act for the protection of miners, and repealing all Acts in conflict therewith.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Shippee: Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Simpson: Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 154—An Act to repeal section twenty-nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage.

Referred to Committee on Judiciary.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seventeen hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Referred to Committee on Judiciary.

Also: Senate Bill No. 156—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 157—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Referred to Committee on Judiciary.

Also: Senate Bill No. 158—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 159—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 160—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Referred to Committee on Judiciary.

Also: Senate Bill No. 161—An Act relating to estrays.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Referred to Committee on Claims.

Also: Senate Bill No. 163—An Act to amend section eleven hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Referred to Committee on Judiciary.

Also: Senate Bill No. 164—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Referred to Committee on Judiciary.

Also: Senate Bill No. 165—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Referred to Committee on Judiciary.

Also: Senate Bill No. 166—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 167—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the appointment of administrators.

Referred to Committee on Judiciary.

Also: Senate Bill No. 168—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Referred to Committee on Judiciary.

Also: Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Referred to Committee on Judiciary.

Also: Senate Bill No. 170—An Act to provide for the protection of the records of the several counties of the State of California, and regulating the business of Abstracting in relation thereto.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 171—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Referred to Committee on Judiciary.

Also: Senate Bill No. 172—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued, to determine title or to recover property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 173—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relative to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Referred to Committee on Judiciary.

Also: Senate Bill No. 175—An Act to prevent damage from the overflow of artesian wells.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 176—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title.

Referred to Committee on Judiciary.

Also: Senate Bill No. 177—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Referred to Committee on Judiciary.

Also: Senate Bill No. 178—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and caring for, boarding, feeding, or pasturing horses or stock.

Referred to Committee on Judiciary.

Also: Senate Bill No. 179—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 180—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability, founded upon an instrument in writing executed in this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 181—An Act to amend section three hundred

and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 182—An Act to amend section seventeen hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk as to the disbursement of money and property of estates.

Referred to Committee on Judiciary.

Also: Senate Bill No. 183—An Act to amend section seventeen hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Referred to Committee on Judiciary.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Referred to Committee on Judiciary.

Also: Senate Bill No. 185—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 186—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 187—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Referred to Committee on Judiciary.

By Senator Smith: Senate Bill No. 188—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 189—An Act to amend sections one thousand and ninety-four, one thousand and ninety-five, one thousand and ninety-six, one thousand one hundred, one thousand one hundred and one, one thousand one hundred and three, one thousand one hundred and five, one thousand one hundred and thirteen, one thousand one hundred and fifteen, one thousand one hundred and sixteen, and to repeal sections one thousand and ninety-eight, one thousand and ninety-nine, and one thousand one hundred and fourteen of the Political Code.

Referred to Committee on Elections.

Also: Senate Bill No. 190—An Act to provide for the payment for the advertising of the Constitutional Amendments, and to make an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 191—An Act to amend section four hundred

and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

Also: Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883. (Statutes 1883, p. 24.)

Referred to Committee on City, City and County, and Town Governments.

By Senator Voorheis: Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Whitehurst: Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than one thousand five hundred.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Referred to Committee on Judiciary.

By Senator Withington: Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section, to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 200—An Act to establish a State Normal School at San Diego, California.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Referred to Committee on Hospitals.

Also (by request): Senate Bill No. 202—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 204—An Act to provide for the depositing of State and county funds in banks.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 205—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one hundred and eighty-one of said Act, relative to distances from the county seat of San Diego County.

Referred to Committee on Judiciary.

Also: Senate Bill No. 206—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 207—An Act to regulate the sale of milk.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Referred to Committee on Judiciary.

SENATE JOINT RESOLUTIONS.

The following Joint Resolutions were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis:

SENATE JOINT RESOLUTION No. 2.

Relative to the Free Coinage of Silver.

WHEREAS, We recognize constantly the indisputable fact that upon the continued development and working of the silver mines of California and other Pacific Coast States, the prosperity and progress of those States largely depend, and that in the depreciation of the value of that metal by refusing it a proper place in the coinage system of the United States, a vital blow is being struck at all the interests of the Pacific States; and whereas, it is also recognized as a fact that the opposition to silver coinage emanates from speculative syndicates and moneyed classes who seek to embarrass the people of the nation for the advancement of their own selfish ends; and whereas, we entertain the firm belief that the full measure of national prosperity will never be restored by the issue of bonds, and do believe that the restoration of silver to its proper place will bring about lasting prosperity, and having unbounded faith in the power and ability of this nation to replace and maintain silver in its proper position alongside of gold; therefore,

Resolved, That our United States Senators be instructed and our Representatives in Congress requested to oppose every measure to debase silver as money, and to advocate and vote for the free and unlimited coinage of silver in the ratio of sixteen to one.

Referred to Committee on Finance.

By Senator Biggy:

SENATE JOINT RESOLUTION No. 3.

WHEREAS, Any extension of time for payment through the Government of the Pacific Railroad debt by the so-called Reilly Funding Bill or any other bill having a similar object, would entail upon the people of this State the principal burden of discharging said debts, and result only in offering additional benefits upon the private owners of said roads; and whereas, the experience of the past has demonstrated the inability or disinclination of said roads to discharge their just obligations; and whereas, every principle of justice and expediency demands that the mortgage bonds of said roads should be paid or foreclosed at maturity; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators and Representatives in Congress be instructed to oppose any attempt and vote against any bill to extend the time for the payment to the Government of the Pacific Railroad debts, and vote for a measure to foreclose at maturity the lien of the Government on these roads, and to have them bid in by the Government and maintained as a national highway for the benefit and in the interest of the people, and to enforce against the stockholders of said roads the collection of any judgment for deficiency that may result upon said foreclosure.

Resolved, That the Governor be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

Referred to Committee on Judiciary, on motion of Senator McGowan.
By Senator McAllister:

SENATE JOINT RESOLUTION No. 4.

Relative to the boundaries of Yosemite National Park.

WHEREAS, There is now pending before the fifty-third Congress of the United States of America, a bill designated as H. R. 7872, "authorizing, in certain cases, the Secretary of the Interior, with the approval of the President, to alter the boundaries of the Yosemite National Park, a forest reservation in California"; and whereas, such bill does not specify the changes in boundary to be made, but leaves them to the discretion of the Secretary of the Interior; and whereas, the reservation by the Federal Government of the Yosemite National Park was an act of great benefit to the whole people of the State of California, in that the reservation protects the headwaters of the Tuolumne and Merced Rivers and preserves the original grandeur of the Yosemite Valley; and whereas, any alteration of the boundary of the Yosemite National Park should be made only after the fullest publicity to the people of the State of California; now, therefore, be it

Resolved by the Senate and Assembly of the thirty-first session of the Legislature of the State of California, That the fifty-third Congress be requested and urged not to pass the above-described bill; but that any bill looking to the alteration of the boundary of the Yosemite National Park specify the alterations to be made, to the end that such alterations may not nullify the good effects now derived by the existence of the Yosemite National Park; and further be it

Resolved, That his Excellency the Governor be and he hereby is requested to forward to the Secretary of the Interior of the United States and to our Senators and Representatives in Congress a copy of this resolution.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator McGowan:

SENATE JOINT RESOLUTION No. 5.

Requesting Congress to enact a law limiting or prohibiting foreign immigration.

WHEREAS, We are convinced by facts, the existence of which we deplore, that there has been coming to our country for many years past, and now, from various countries, an immigration of the most undesirable class, ignorant of our language and laws, not adapted to our institutions, incompetent to discharge the duties of citizenship, non-assimilative in its character, wholly foreign to every consideration of public good, dangerous to the safety and perpetuity of the Republic, and, in many instances, made up in part of insane, diseased, and criminal persons; and whereas, we deem it wrong, impolitic, and destructive to all those interests which it is the duty and obligation of every loyal American to conserve, that there should exist in our country a class of persons whose cheap labor comes in competition with the labor of our own citizens, native or adopted, thus depriving them of the labor and compensation which they are entitled

to by every law of justice and right; and whereas, we believe that the introduction of a class of immigrants like many that we are now receiving, willing and ready to accept a low standard of wages, will have the effect of lowering the wages of labor, lessening the dignity of the American laborer, and by this means not only injuring our citizens, but, as a consequence, threatening the safety of the nation; and whereas, we are persuaded that the time has arrived in our national life that we have sufficient labor in our own country to develop our many resources, and that conditions have so changed that we no longer need immigrants to settle upon our vacant public lands, or to supply the labor market; and whereas, we entertain the belief that it is the highest and best policy of this country to preserve the labor of the country for our citizens, native and adopted, now here, and that the condition of our industrial classes would be greatly improved, and a higher standard of wages for labor established, if the competition of cheap labor now being received from abroad and compelling American laborers to submit to the force of a factor in the labor market that naturally lessens their independence, was destroyed; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators be requested and our Representatives instructed to frame and enact such law or laws as will successfully prohibit foreign immigration, and foreign labor, whether skilled or unskilled.

Resolved, That the Governor of this State transmit, forthwith, a copy of these resolutions to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations and Immigration.
By Senator McGowan:

SENATE JOINT RESOLUTION No. 6.

Requesting the laying of a telegraph cable line from Northwest Seal Rock Light-house, in Del Norte County, to Trinidad, Humboldt County.

WHEREAS, The Northwest Seal Rock Light-house being situated in the track of vessels and steamers bound to Oregon, Washington, and other northern ports from this State, and the Government having a signal station at Eureka, Humboldt County, California, the efficiency of the said station would be increased by the establishment of a telegraph cable line to be laid from the Northwest Seal Rock Light-house to the Crescent City Light-house, in Del Norte County, thence to Trinidad, Humboldt County, and from there to Eureka, to connect with the signal station at that place. That the shipping interest of this coast would be benefited by the establishment of such connection between the above-named points, on account of their geographical location for the observation and transmission of weather reports.

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be instructed to present to Congress the request of this legislative body, and that the Congress of the United States is urged, to give such aid and encouragement as will insure the speedy construction of such telegraph cable.

Resolved, That his Excellency the Governor be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

Referred to Committee on Federal Relations and Immigration.
Also:

SENATE JOINT RESOLUTION No. 7.

Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

WHEREAS, It is of the utmost importance for the business interests that the people of the United States should have cheap communication and transportation, instead of being at the mercy of the telegraph companies; therefore, be it

Resolved by the Senate and Assembly of the State of California, That our Senators and Representatives in Congress be requested to use all honorable means to establish a postal telegraph in connection with the postal service of the United States; and be it further

Resolved, That we cordially indorse the bill recently introduced by Congressman Maguire of this State, having for its object the establishment of a postal telegraph operated and controlled by the Government.

Resolved, That the Governor be requested to forward copies of these resolutions to our Senators and Representatives in Congress, and to the President and Postmaster-General of the United States.

Referred to Committee on Federal Relations and Immigration.

RESOLUTIONS.

By Senator Simpson:

Resolved, That the State Librarian be and he is hereby authorized and directed to furnish to each member of the Judiciary Committee of the Senate, a copy of the Index to the Codes and Statutes of the State of California.

Adopted.

By Senator Voorheis:

Resolved, That the Chairman of the Senate Finance Committee be authorized to appoint an Assistant Clerk and a Stenographer of that committee, at a per diem of five dollars each, payable from the Contingent Fund of the Senate, and that the Controller be directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator McGowan:

Resolved, That Frank Smith be and he is hereby appointed Porter to the Judiciary Committee of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That T. K. Carr be and he is hereby appointed Sergeant-at-Arms to the Judiciary Committee of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That Thomas E. McGeorge be and he is hereby appointed Messenger to the Judiciary Committee of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Orr:

Resolved, That the sum of forty dollars be and is hereby appropriated out of the fund for the contingent expenses of the Senate, for the per diem of ex-Lieutenant-Governor Reddick, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

ADJOURNMENT.

At three o'clock P. M., on motion of Senator Ford, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 16, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

CHANGES IN STANDING COMMITTEES OF THE SENATE.

Senators Smith and Earl requested the Senate to make the following changes in the standing committees of the Senate:

That the name of Senator Seymour be substituted for that of Senator Earl on the Committee on County Government and Township Organization, and that the name of Senator Earl be substituted for that of Senator Seymour on the Committee on City, City and County, and Town Governments.

That the name of Senator Orr be substituted for that of Senator Smith on the Committee on Counties and County Boundaries, and that the name of Senator Smith be substituted for that of Senator Orr on the Committee on Roads and Highways.

Requests granted, and both substitutions ordered.

LEAVE OF ABSENCE.

Senator Androus was granted leave of absence for the day, on motion of Senator Simpson.

MOTION.

Senator Mahoney moved that Senate Bills Nos. 29, 60, 61, and 62, referred to Committee on Harbors, Rivers, and Coast Defenses, be returned to the Senate by said committee, and referred to Committee on Commerce and Navigation.

Ayes and noes were demanded, and the motion lost by the following vote:

AYES—Senators Denison, Fay, Holloway, Linder, Mahoney, McGowan, Mitchell, Seawell, and Smith—10.

NOES—Senators Beard, Dunn, Flint, Ford, Franck, Gleaves, Hoyt, Mathews, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Withington—18.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 16, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom were referred the following resolutions:

Resolved, That the Chairman of the Senate Finance Committee be authorized to appoint one Assistant Clerk and a Stenographer of that committee, at a per diem of five dollars each, payable from the Contingent Fund of the Senate, and that the Controller be directed to draw his warrant for the same.

Resolved, That Frank Smith be and he is hereby appointed Porter to the Judiciary Committee of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Resolved, That Thomas E. McGeorge be and he is hereby appointed Messenger to the Judiciary Committee of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Resolved, That T. K. Carr be and he is hereby appointed Sergeant-at-Arms to the Judiciary Committee of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

The roll was called, and the resolutions and report of the committee adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—30.

NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 210—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualification of Judges.

Referred to Committee on Judiciary.

Also: Senate Bill No. 211—An Act to provide for the purchase of a furnished residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Referred to Committee on Finance.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the lia-

bility of innkeepers, hotel keepers, boarding and lodging-house keepers, for personal property of their guests, boarders, and lodgers, entrusted to their care.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 216—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand seven hundred and seventy-three, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and re-sale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 217—An Act to amend "An Act relative to authorizing the husband or wife, or next of kin, of a deceased person, to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 218—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four of, and to add three new sections, to be numbered six hundred and twenty-seven, six hundred and twenty-eight, and six hundred and twenty-nine, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 219—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending subdivision twenty-nine and one half of section twenty-five thereof, relative to the powers of Boards of Supervisors.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 220—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Pedlar: Senate Bill No. 221—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and amendment thereto approved March 19, 1889.

Referred to Committee on City, City and County, and Town Governments.

By Senator Voorheis: Senate Bill No. 222—An Act to amend the Political Code, relating to payment of costs in cases of judgment rendered against delinquent purchasers of State lands.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities and hedges upon the lines thereof; also for the eradication of certain weeds within city limits," approved March 11, 1893.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

SENATE CONSTITUTIONAL AMENDMENTS.

The following Senate Constitutional Amendments were introduced and referred to Committee on Constitutional Amendments:

By Senator Smith: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section five of article two thereof, relative to the manner of voting.

By Senator Ford: Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

RESOLUTIONS.

By Senator Denison:

Resolved, That the Superintendent of State Printing be directed to print for the Senate five hundred copies of all Senate bills, joint resolutions, and constitutional amendments.

Adopted.

By Senator Voorheis:

Resolved, That James W. Roberts be and he is hereby appointed Messenger to the Lieutenant-Governor, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Bert:

Resolved, That Joseph McAuliffe be and he is hereby appointed Assistant File Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Pedlar:

Resolved, That the Chairmen of the committees meeting in each committee-room be and they are hereby empowered and authorized to appoint a Messenger and a Sergeant-at-Arms for such room, at a per diem of four dollars each, to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—30.

NOES—None.

By Senator Mahoney:

Resolved, That Albert G. Elliott be and he is hereby appointed a Page of the Senate, at a per diem of three dollars, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That no demand or requisition upon the Secretary of State for supplies of any kind for any committee of the Senate be allowed or filled, unless such demand or requisition is first approved by a majority of the Committee on Attachés, Contingent Expenses, and Mileage.

Adopted.

By Senator Franck:

Resolved, That Mrs. D. J. DeVoe be and she is hereby appointed Assistant Mailing and Folding Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Seymour:

Resolved, That Chauncey Clark be and he is hereby appointed Assistant Secretary of the Senate, with the duties of Register Clerk assigned him, at the same per diem as the other Assistant Secretaries, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Linder:

Resolved, That E. J. Niles be and he is hereby appointed Chief Bill Clerk, at a per diem of five dollars, to be paid out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Holloway:

Resolved, That Elbert R. Tiel be and he is hereby appointed Porter to room 19, occupied by Committees on Labor and Capital, Claims, and Federal Relations and Immigration, at a per diem of four dollars, same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Earl:

Resolved, That D. L. Wintringer be and he is hereby appointed Porter to the Sergeant-at-Arms of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Hart:

Resolved, That the State Printer be and he is hereby directed to bind all bills introduced in the Senate, and that R. A. May be and he is hereby appointed Bill Filer for the Senators for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Senate.

Senator Hart asked unanimous consent of the Senate for the immediate consideration of the above resolution.

Granted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gleaves, Hart, Holloway, Hoyt, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—26.
NOES—None.

By Senator Voorheis:

Resolved, That all bills appropriating money for any and all purposes be referred to the Finance Committee before final action is taken.

Adopted.

Also:

Resolved, That the Senate Post Office be kept open from nine o'clock A. M. to eight o'clock P. M. every day except Sunday; on Sunday from twelve o'clock and thirty minutes P. M. to one o'clock and thirty minutes P. M., and at all times when the Senate is in session.

Adopted.

By Senator McGowan:

Resolved, That the Sergeant-at-Arms be and he is hereby empowered to purchase necessary desks and tables for the various committee-rooms, and a bookcase for the Judiciary Committee, the same to be paid for out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Franck, Henderson, Holloway, Hoyt, Linder, Martin, McGowan, Mitchell, Orr, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—27.
NOES—None.

By Senator Bert:

Resolved, That the temporary rules of the Senate be amended as follows: Amend temporary rules of Senate under subdivision one, "opening of the daily sessions," by striking out the words, "one o'clock and thirty minutes," and inserting in lieu thereof "two o'clock"; also, strike out "and thirty minutes" after the words "twelve o'clock."

Referred to Committee on State Library and Rules.

By Senator Franck:

Resolved, That George Byron be and he is hereby appointed Assistant Clerk to Committee on Education and Public Morals of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

On motion of Senator Withington, the Secretary of the Senate was instructed to have Senate Bill No. 197 sent to the printer at once.

RECESS.

At eleven o'clock and fifty minutes A. M., on motion of Senator Orr, the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTIONS.

By Senator Seymour:

Resolved, That a standing committee be appointed, to consist of five members, to be named the Committee on Retrenchment and Public Expenditures, with the following prescribed duties: It shall be the duty of the Committee on Retrenchment and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Senate such bills or resolutions as may be required to carry out the recommendations of the committee.

Referred to Committee on State Library and Rules.

By Senator Fay:

Resolved, That John Wise be and he is hereby appointed Clerk of the San Francisco Delegation of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That W. Levison be and he is hereby appointed Sergeant-at-Arms of San Francisco Delegation of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At one o'clock and forty minutes P. M., on motion of Senator Seawell, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Thursday, January 17, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Androus was granted leave of absence for the day, on motion of Senator Orr.

Senator Gesford was granted leave of absence for the day, on motion of Senator Biggy.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

QUESTION OF PRIVILEGE.

Senator Voorheis arose to a question of privilege, and stated that the article in the "San Francisco Examiner" of January 15th, instant, stating that he had received a long letter from a Catholic priest at Jackson, Amador County, urging him to vote for Mr. De Young, was not true, and he trusted that the "Examiner," in justice to that gentleman and also to himself, would make the proper correction.

CHANGES IN STANDING COMMITTEES OF THE SENATE.

Senators McAllister, Ford, Seymour, and Biggy requested the Senate to make the following changes in the standing committees of the Senate:

That the name of Senator Fay be substituted for that of Senator McAllister on the Committee on Elections, and that the name of Senator McAllister be substituted for that of Senator Fay on the Committee on City, City and County, and Town Governments.

That the name of Senator Ford be substituted for that of Senator Pedlar on the Committee on State Prisons and Prison Buildings, and that the name of Senator Pedlar be substituted for that of Senator Ford on the Committee on County Government and Township Organization.

That the name of Senator Shine be substituted for that of Senator Seymour on the Committee on Public Buildings other than Prison Buildings, and that the name of Senator Seymour be substituted for that of Senator Shine on the Committee on Claims.

That the name of Senator Hoyt be substituted for that of Senator Ford on the Committee on Finance, and that the name of Senator Ford be substituted for that of Senator Hoyt on the Committee on Education and Public Morals.

That the name of Senator Henderson be substituted for that of Senator Seawell on the Committee on Education and Public Morals, and that the name of Senator Seawell be substituted for that of Senator Biggy on the Committee on Commerce and Navigation, and that the name of Senator Biggy be substituted for that of Senator Henderson on the Committee on Finance.

Requests granted, and the above substitutions ordered.

RESOLUTION.

By Senator Simpson:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to immediately purchase, and pay for out of the funds for the contingent expenses of the Senate, nine copies of Finlayson's Annotated Street Laws of California, and deliver the same to the Secretary of the Senate, he to deliver one copy thereof to each member of the Committee on City, City and County, and Town Governments.

MOTION.

On motion of Senator Orr, the resolution was referred to the Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 17, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom were referred the several appended resolutions, respectfully report them back, and recommend the adoption of each.

HART, Chairman.

Resolved, That James W. Roberts be and he is hereby appointed Messenger to the Lieutenant-Governor, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Also:

Resolved, That Albert G. Elliott be and he is hereby appointed a Page of the Senate, at a per diem of three dollars, to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Also:

Resolved, That Mrs. D. J. De Yoe be and she is hereby appointed Assistant Mailing and Folding Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Denison, Earl, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—26.

NOES—None.

Also:

Resolved, That Chauncey Clark be and he is hereby appointed Assistant Secretary of the Senate, with the duties of Register Clerk assigned him, at the same per diem as the other Assistant Secretaries, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, and Whitehurst—31.

NOES—None.

Also:

Resolved, That E. J. Niles be and he is hereby appointed Chief Bill Clerk, at a per diem of five dollars, to be paid out of the fund for the contingent expenses of the Senate, and that he be allowed pay from January 13, 1895.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Denison, Dunn, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Pedlar, Seymour, Shippee, Simpson, Toner, Voorheis, and Withington—27.

NOES—None.

Also:

Resolved, That Elbert R. Tiel be and he is hereby appointed Porter to room 19, occupied by Committees on Labor and Capital, Claims, and Federal Relations and Immigration, at a per diem of four dollars, same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Denison, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Voorheis—26.

NOES—None.

Also:

Resolved, That Joseph McAuliffe be and he is hereby appointed Assistant File Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Smith, Toner, and Voorheis—24.

NOES—None.

Also:

Resolved, That George Byron be and he is hereby appointed Assistant Clerk to Committee on Education and Public Morals of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Simpson, Smith, and Toner—28.

NOES—None.

Also:

Resolved, That D. L. Wintringer be and he is hereby appointed Porter to the Sergeant-at-Arms of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Mitchell, Pedlar, Seymour, Shine, Shippee, Simpson, and Voorheis—25.
NOES—None.

Also:

Resolved, That John Wise be and he is hereby appointed Clerk of the San Francisco Delegation of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Denison, Dunn, Earl, Flint, Ford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Toner, and Voorheis—24.
NOES—Senator Martin—1.

Also:

Resolved, That W. Levison be and he is hereby appointed Sergeant-at-Arms of the San Francisco Delegation of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Bert, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, and Voorheis—23.
NOES—Senator Martin—1.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, January 17, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following resolution, to wit:

Resolved, That a standing committee be appointed, to consist of five members, to be named the Committee on Retrenchment and Public Expenditures, with the following prescribed duties: It shall be the duty of the Committee on Retrenchment and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Senate such bills or resolutions as may be required to carry out the recommendations of the committee.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted, and the rules of the Senate be amended by adding to the list of committees the committee referred to in said resolution.

EARL, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Dunn, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington—28.
NOES—None.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, January 16, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain

fees, and to insert a new section, to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WITHINGTON, Chairman.

Senate Bill No. 197 ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McGowan: Senate Bill No. 224—An Act to amend section twelve hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section twelve hundred and seventy-one, relative to devises of real property by last will.

Referred to Committee on Judiciary.

Also: Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of court reporters and the misconduct of judicial officers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 226—An Act to provide for the appointment and election of an additional Judge for the county of Humboldt.

Referred to Committee on Judiciary.

Also: Senate Bill No. 227—An Act prohibiting discrimination by corporations engaged in supplying water or gas to the inhabitants of municipalities, and providing that deposits shall not be exacted for placing meters.

Referred to Committee on Corporations.

By Senator Burke: Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Referred to Committee on City, City and County, and Town Governments.

By Senator Gleaves: Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 231—An Act to give legal standing to, and provide for, the licensing of public accountants.

Referred to Committee on Judiciary.

By Senator Aram: Senate Bill No. 232—An Act providing for the election of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salary of each of said Judges.

Referred to Committee on Judiciary.

Also: Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Referred to Committee on Judiciary.

By Senator Dunn: Senate Bill No. 234—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Referred to Committee on Judiciary.

By Senator Denison (by request): Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," and to be known, respectively, as section four and one half and section thirteen and one half.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 236—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 237—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 238—An Act appropriating money for the use of the two State forestry stations at Chico and Santa Monica.

Referred to Committee on Finance.

By Senator Hoyt: Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Referred to Committee on Judiciary.

By Senator Mathews (by request): Senate Bill No. 240—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Seawell: Senate Bill No. 241—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers.

Referred to Committee on Education and Public Morals.

By Senator Langford: Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water, and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and

providing for the disposition of the proceeds of such bonds, and for the supervision of the protection and other work.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Ford: Senate Bill No. 244—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 245—An Act to amend subdivision sixteen of section one hundred and ninety-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of official reporters in counties of the thirty-second class.

Referred to Committee on County Government and Township Organization.

By Senator Bert: Senate Bill No. 246—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on County Government and Township Organization.

Also (by request): Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco, for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Shippee: Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiatt, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Referred to Committee on Claims.

By Senator Pedlar: Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals, and providing for its punishment.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Hart: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 251—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Referred to Committee on Claims.

By Senator Withington: Senate Bill No. 252—An Act to amend an Act approved March 26, 1872, entitled "An Act to establish pilots and pilot regulations for the port of San Diego."

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Referred to Committee on Judiciary.

By Senator Mitchell: Senate Bill No. 254—An Act to provide for the purchase of a portrait of ex-Governor Markham by the Secretary of State, and to appropriate money therefor.

Referred to Committee on State Library and Rules.

By Senator Langford: Senate Bill No. 255—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

SENATE CONSTITUTIONAL AMENDMENT.

The following Senate Constitutional Amendment was introduced and referred to Committee on Constitutional Amendments:

By Senator Bert: Senate Constitutional Amendment No. 10—Proposed amendment to section three (3) of article twelve (12) of the Constitution of the State of California, relative to corporations.

RESOLUTION.

By Senator Aram:

Resolved, That the Chairman of the Judiciary Committee be and he is hereby authorized to appoint a stenographer, at the same per diem as the clerks of said committee, and payable out of the fund for contingent expenses of the Senate, and the Controller of the State is authorized to draw his warrant and the Treasurer is directed to pay the same.

MOTION.

Senator McGowan moved that the rules be suspended, and that the resolution be considered at once without reference to committee.

So ordered.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Biggy, Burke, Denison, Dunn, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

RESOLUTION.

By Senator Withington:

Resolved, That Senate Bill No. 197 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times and placed upon its passage.

The roll was called, and Senate Bill No. 197 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

CASE OF URGENCY—FIRST READING OF BILL.

Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section, to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Read first time.

ADJOURNMENT.

At twelve o'clock M., on motion of Senator Orr, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER.

Friday, January 18, 1895. {

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Franck was granted leave of absence for the day by the President pro tem.

Senator Androus was granted leave of absence for the day on account of sickness, on motion of Senator Orr.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

APPROVAL OF JOURNALS.

The Journals of Monday, January 14, 1895, Tuesday, January 15, 1895, Wednesday, January 16, 1895, and Thursday, January 17, 1895, were approved.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 17, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891—has had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SHIPPEE, Chairman.

Senate Bill No. 18 ordered on file.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 18, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

"Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to immediately purchase, and pay for out of the funds for the contingent expenses of the Senate, nine copies of Finlayson's Annotated Street Laws of California, and deliver the same to the Secretary of the Senate, he to deliver one copy thereof to each member of the Committee on City, City and County, and Town Governments."

Has had the same under consideration, and respectfully recommend that the following be adopted as a substitute:

"Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to immediately purchase, and pay for out of the funds for the contingent expenses of the Senate, nine copies of Finlayson's Annotated Street Laws of California, and deliver the same to the Secretary of the Senate, he to deliver one copy thereof to each member of the Committee on City, City and County, and Town Governments; also, ten copies to be delivered to the Chairman of the Judiciary Committee for the use of said committee."

HART, Chairman.

Senator Orr offered the following as a substitute for the resolution presented by the committee:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to immediately purchase, and pay for out of the funds for the contingent expenses of the Senate, two copies of Finlayson's Annotated Street Laws of California, and deliver the same to the Secretary of the Senate, he to deliver one copy thereof to the Committee on City, City and County, and Town Governments, and one to the Committee on Judiciary.

The roll was called, and the substitute lost by the following vote:

AYES—Senators Beard, Biggy, Denison, Dunn, Fay, Ford, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Shippee, Voorheis, Whitehurst, and Withington—16.

NOES—Senators Aram, Bert, Burke, Earl, Flint, Gleaves, Hart, Hoyt, Linder, Mahoney, Mathews, McGowan, Seymour, Shine, Simpson, Smith, and Toner—17.

The question then recurring on the adoption of the resolution as presented by the committee.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Bert, Earl, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McGowan, Pedlar, Seawell, Seymour, Simpson, and Toner—19.

NOES—Senators Beard, Biggy, Burke, Denison, Dunn, Fay, McAllister, Mitchell, Orr, Shippee, Smith, Voorheis, Whitehurst, and Withington—14.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McGowan: Senate Bill No. 256—An Act to amend section one thousand four hundred and one of the Civil Code, relative to the

disposition of, and succession to, community property derived by surviving husbands upon the death of the wife.

Referred to Committee on Judiciary.

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Referred to Committee on Judiciary.

By Senator Voorheis: Senate Bill No. 258—An Act to add to part two, division second, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining laws and forming mining districts.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Burke: Senate Bill No. 259—An Act to amend section one thousand one hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Elections.

By Senator Langford: Senate Bill No. 260—An Act to amend section three hundred and sixty-eight of the Political Code, relative to appointment of executive officers by the Governor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 261—An Act to amend section four, and to repeal sections five, six, and seven of an Act entitled "An Act to provide for fitting up in the basement of the Capitol building a moisture-proof, fire-proof, and burglar-proof vault for storage and care of the archives of the State offices, for the appointment of a keeper of the archives, defining his duties, fixing his salary, and appropriating money for the purposes appertaining thereto," approved March 25, 1889.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 262—An Act to repeal "An Act to establish a standard of weights and measures," approved April 6, 1891.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 264—An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of twenty-five hundred dollars therefor," approved March 10, 1891.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 265—An Act to repeal an Act entitled "An Act

to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 266—An Act to repeal sections six hundred and forty-two and six hundred and forty-three of the Political Code, relating to the Fish Commissioners.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 267—An Act to repeal an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 268—An Act to repeal sections one, two, three, four, five, six, seven, and ten of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also, to repeal an Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February 26, 1885, and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners, to continue in force sections eight and nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, and enlarging the privileges of the Department of Agriculture of the University of California.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 269—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880, and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Whitehurst: Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding-houses, and lodging-houses.

Referred to Committee on Judiciary.

By Senator Bert: Senate Bill No. 271—An Act to amend section one of an Act entitled "An Act amendatory of and supplemental to an Act to create a Police Court in and for the City and County of San Francisco," which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Police Court.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 272—An Act to amend section eight of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now

amended was approved February 23, 1893, and to fix the compensation of the official stenographer of said Police Court.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 273—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relating to witnesses before grand juries.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 274—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 276—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, when the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Referred to Committee on Judiciary.

Also: Senate Bill No. 277—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the payment of judgments docketed.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 278—An Act relating to the trial of actions for a divorce.

Referred to Committee on Judiciary.

Also: Senate Bill No. 279—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to making deeds to property sold for taxes, giving notice thereof, and directing the State Controller to act for the State.

Referred to Committee on Judiciary.

By Senator Holloway: Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent, interest parties, discharge of executors or administrators.

Referred to Committee on Judiciary.

By Senator Arms: Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto, and also to repeal an Act entitled "An Act relating to the Home of the Inebriates at San Francisco, and to prescribe the powers and duties of the Board of Managers, and the officers thereof," approved April 1, 1870,

and all Acts and parts of Acts in conflict with the provisions of this Act.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 282—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Referred to Committee on Judiciary.

Also: Senate Bill No. 283—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four, and one half, one thousand five hundred and

ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Referred to Committee on Judiciary.

By Senator Ford: Senate Bill No. 284—An Act to create and establish a permanent standing commission for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said Commission and Secretary, and to appropriate money therefor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 285—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

Referred to Committee on Judiciary.

By Senator Beard: Senate Bill No. 287—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 288—An Act to amend section three thousand five hundred and thirty-five of the Political Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 289—An Act providing for the improvement of streets and roads, and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts, when the population is at least five hundred, and the manner of ascertaining said population.

Referred to Committee on Roads and Highways.

By Senator Orr: Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners.

Referred to Committee on Banks and Banking.

By Senator Withington: Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Referred to Committee on Finance.

SENATE CONSTITUTIONAL AMENDMENTS.

The following Senate Constitutional Amendments were introduced, and referred to committees, as follows:

By Senator Voorheis: Senate Constitutional Amendment No. 11—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Referred to Committee on Constitutional Amendments.

By Senator Langford: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Referred to Committee on Constitutional Amendments.

SENATE JOINT RESOLUTIONS.

The following joint resolutions were introduced, read by title, and referred to committees, as follows:

By Senator Langford: Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Referred to Committee on Federal Relations and Immigration.

Also: Senate Joint Resolution No. 9—Relative to the construction of the Nicaragua Canal.

Referred to Committee on Federal Relations and Immigration.

MOTION.

At eleven o'clock and forty-five minutes A. M., on motion of Senator Voorheis, the hour of recess was extended until twelve o'clock and fifteen minutes P. M.

SPECIAL URGENCY FILE.

Senate Bill No. 197 having been declared a case of urgency on a previous day, and read first time, the Senate proceeded with its further consideration.

SECOND READING OF BILL.

Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section, to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Section one read.

Section two read, and the following committee amendments were submitted:

Amend section two, line one hundred and fifty-four, of printed bill, by striking out the word "record" and substituting therefor the word "Recorder."

Amendment adopted.

Section two read as amended.

Section three read, and the following committee amendments were submitted:

Amend section three by striking out the following, commencing on line forty-eight thereof, printed bill: "Whenever the salary or compensation of any officer is increased or diminished by the terms of this Act, the provisions hereof so increasing or diminishing such salary or compensation shall not, except as herein otherwise provided, apply to or affect present incumbents, except as to the per diem and expenses to be paid to the Sheriff for conveying persons to and from the insane asylums, and conveying prisoners to and from the State Prisons, or other State institutions."

Amendment adopted.

Also: Amend section three, line twenty-seven, by striking out the word "Commissioners," and inserting therefor the word "Examiners."

Amendment adopted.

Also: Amend by striking out all of section three after and including the words "and provided, however," in line fifty-seven thereof, in printed bill.

Amendment adopted.

Also: Amend by striking out of section three, line three, the word "for."

Amendment adopted.

Also: Amend by striking out of line forty-seven, section three, the word "as."

Amendment adopted.

Also: Amend by striking out of section three, line nine, the word "two," and inserting therefor the word "three."

Amendment adopted.

Also: Amend by striking out of section three, line eleven, the word "to," and inserting therefor the word "by."

Amendment adopted.

Also: Amend by striking out of section three, line fourteen, the word "returned," and inserting therefor the word "returning."

Amendment adopted.

Section three as amended read and adopted.

Section four read.

Bill read second time, considered engrossed as amended, and ordered read a third time.

THIRD READING OF BILL.

Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section, to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 18, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Joint Resolution No. 1—Relating to the passage of H. R. 119, Fifty-third Congress, in the Senate of the United States—has had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

MOTION.

Senator Mathews moved that Senate Joint Resolution No. 1 be taken up out of order, and considered at once.
So ordered.

SENATE JOINT RESOLUTION No. 1.

Joint resolution relating to the passage of H. R. 119, Fifty-third Congress, in the Senate of the United States.

WHEREAS, There is now before a Select Committee on Forest Reservation in the Senate of the United States a bill to protect public forest reservations and secure favorable conditions of water flow, which if passed will add greatly to the wealth of the nation, and particularly to the State of California; therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That we instruct our Senators, and urgently request our Representatives in Congress from this State, that they use every means in their power to secure the passage of H. R. 119, pertaining to "the protection of public forest reservations."

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress from this State a copy of these resolutions.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

SENATE CONCURRENT RESOLUTION.

By Senator Mahoney:

SENATE CONCURRENT RESOLUTION No. 3.

Resolved by the Senate, the Assembly concurring, That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on Friday, January 25, 1895, to the hour of ten o'clock A. M. Tuesday, January 29, 1895.

MOTION.

Senator Seymour moved to amend the resolution by substituting the word "Pavilion" in place of the words "State Capitol."

Senator Voorheis moved that the further consideration of the above

resolution be postponed, and made a special order for Monday, January 21, 1895, at three o'clock P. M.

So ordered.

RESOLUTIONS.

By Senator Mahoney:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted during the evening of Monday, January 28, 1895, and to have the Senate Chamber placed in readiness for the occasion of the inaugural ball to be held on that evening, and the sum of two hundred dollars is hereby appropriated out of the Contingent Fund of the Senate to pay the expenses thereof.

Senator Orr moved that the consideration of the above resolution be made a special order for three o'clock P. M. Monday next, to follow the special order already set.

So ordered.

Also:

Resolved, That the sum of fifty dollars is hereby appropriated out of the Contingent Fund of the Senate, to the order of the Committee on Inaugural Ball, for the securing of music.

On motion of Senator Mahoney, the above resolution was made a special order for Monday next at three o'clock P. M., to follow other special orders.

Also:

Resolved by the Senate, That the Sergeant-at-Arms of the Senate be and he is hereby instructed to permit the Committee on Inaugural Ball and Banquet full use of the Senate Chamber, the Sergeant-at-Arms' rooms, and the various committee-rooms under his charge from and after the adjournment of the Senate on Friday, January 25, 1895, until its assembling on Tuesday, January 29, 1895.

On motion of Senator Mahoney, the above resolution was made a special order for Monday next at three o'clock P. M., to follow other special orders.

Also:

Resolved, That the sum of ten dollars be and is hereby appropriated out of the fund for the contingent expenses of the Senate, payable to the Sergeant-at-Arms of the Senate, for material and labor in fixing window at the rear of the President's desk in the Senate Chamber.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

COMMUNICATION.

By Senator Mahoney:

MR. PRESIDENT: I hereby tender my resignation as Chairman of the Committee on Commerce and Navigation.

J. H. MAHONEY.

On motion of Senator Orr, the consideration of the above was postponed, and made a special order for Monday next at three o'clock and thirty minutes P. M.

RESOLUTIONS.

By Senator Hart:

Resolved, That the sum of eighteen dollars be and is hereby appropriated out of the fund for contingent expenses of the Senate, for Clarence Packard for six days' services as Page during the organization of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Seawell:

Resolved, That James Cullen be and he is hereby appointed Assistant Messenger to the State Printer from the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Aram:

Resolved, That the sum of five hundred and six dollars and twenty-five cents be and the same is hereby appropriated out of the fund for the contingent expenses of the Senate, payable to the order of L. H. Brown, Secretary of State, for forty-five sets of Codes, and the Controller is hereby instructed to draw his warrant and the Treasurer is directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At twelve o'clock and fifteen minutes P. M., on motion of Senator Orr, the Senate adjourned until Monday at two o'clock P. M.

IN SENATE.

SENATE CHAMBER.

Monday, January 21, 1895. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Franck was granted leave of absence for the day, on motion of Senator Mathews.

Senator Androus was granted leave of absence for the day on account of sickness, on motion of Senator Simpson.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

CORRECTION OF JOURNAL.

Senator Orr moved that the Journal of Friday, January 18, 1895, be corrected to show that Senator Androus was granted leave of absence for that day on account of sickness.

So ordered.

PRESENTATION OF PETITION.

The following petition was presented by President pro tem. Flint, read and referred to Committee on Elections:

THE CHAMBER OF COMMERCE OF SAN FRANCISCO, }
SAN FRANCISCO, January 10, 1895. }

WHEREAS, The evidence of criminal and fraudulent practices in connection with the late election is of such a conclusive and startling character as to call for the most thorough and searching investigation by competent authority into the whole system of election methods and procedure, to the end that the evils may be remedied by appropriate legislation, and that criminals guilty of such crimes and frauds may be brought to speedy justice.

Resolved, That the Legislature be earnestly requested to appoint a special committee, charged with full power and authority to investigate the whole subject-matter, and to report such legislation and recommendations as will best secure fair elections, honest counts, and a decent and effective administration of the law.

Resolved, That the Secretary be instructed to forward a copy of these resolutions to the Governor of the State, the President of the Senate, and the Speaker of the House.

CHAMBER OF COMMERCE OF SAN FRANCISCO,

W. H. DIMOND, President.

Attest: L. H. CLEMENT, Secretary.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 21, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom were referred the several appended resolutions, respectfully report them back, and recommend the adoption of each.

HART, Chairman.

Resolved, That the sum of ten dollars be and is hereby appropriated out of the fund for the contingent expenses of the Senate, payable to the Sergeant-at-Arms of the Senate, for material and labor in fixing window at the rear of the President's desk in the Senate Chamber.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Also:

Resolved, That the sum of eighteen dollars be and is hereby appropriated out of the fund for contingent expenses of the Senate, for Clarence Packard, for six days' wages as Page during the organization of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Also:

Resolved, That James Cullen be and he is hereby appointed Assistant Messenger to the State Printer from the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Dunn, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst—28.
NOES—None.

Also:

Resolved, That the sum of five hundred and six dollars and twenty-five cents be and the same is hereby appropriated out of the fund for the contingent expenses of the Senate, payable to the order of L. H. Brown, Secretary of State, for forty-five sets of Codes, and the Controller is hereby instructed to draw his warrant and the Treasurer is directed to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Flint, Ford, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.
NOES—None.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 21, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 22—Relative to the protection of patients from extortion by dishonest physicians and druggists—have had the same under consideration, and report it back with the recommendation that it do pass.

PEDLAR, Chairman.

Senate Bill No. 22 ordered on file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate Concurrent Resolution No. 1, relative to joint committee conference on the inaugural ball, and appointed the following committee, viz.: Messrs. Powers, Reid, and Cutter.

S. J. DUCKWORTH, Chief Clerk.
By ANDY BRANCH, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the nineteenth day of January, 1895, passed Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor.

S. J. DUCKWORTH, Chief Clerk.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That Assembly Bill No. 290 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 290 was declared a case of urgency by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Voorheis, Whitehurst, and Withington—31.

NOES—None.

CASE OF URGENCY—FIRST READING OF BILL.

Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor.

Read first time.

SECOND READING OF BILL.

Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor.

Pending second reading of Assembly Bill No. 290, Senator Withington moved that the further consideration of the bill be postponed and made a special order for to-morrow, Tuesday, January 22, 1895, at three o'clock P. M.

So ordered.

PETITION—(OUT OF ORDER).

The following petition was presented by Senator Voorheis, and ordered printed in full in the Journal:

DALLAS BOARD OF TRADE,
DALLAS, TEXAS, January 12, 1894.

To the Honorable Secretary of State for the State of California, Sacramento, California:

DEAR SIR: This Board of Trade, perceiving the deplorable effects all over the West and South resulting from the practical enslavement of thousands of our most energetic citizens, is exerting itself in attempting some measure for their relief, and is daily receiving assurances of aid from our sister States.

Not only public policy, but the highest considerations of humanity and justice require that those unfortunate and helpless debtors, many of whom have spent their fortunes in building our cities, opening our mines, erecting factories and works of public improvement, should have their indomitable energies released, to the end that the country may again receive benefit from them.

It will be observed that, in the great majority of cases, the insolvency of the debtor has been occasioned by circumstances entirely beyond their control, and such as no human foresight could have guarded against.

The ruinous over-speculation in Argentina and Australia, occasioned by the reckless improvidence of English investors, especially the Barings, reacted on England, and, in turn, visited their misfortunes on us. This, cooperating with the vicious congressional legislation, which so fatally affected the mines and grain fields of the West and the cotton of the South, has superinduced widespread loss, fearful depreciation in values, and a deplorably hopeless and continuing insolvency.

It is almost criminal injustice to perpetuate the slavery of great masses of our fellow men, when a reasonable Bankruptcy Act would restore to them their commercial liberty and permit them to again commence the struggle of life.

We presume to write you, invoking your good offices and influence in bringing some pressure to bear upon the Senate of the United States, looking to the speedy passage of the bankruptcy bill now pending before it, and we respectfully ask you to get some well known Representative who may be in sympathy with such a measure to introduce a joint or concurrent resolution similar to the one we inclose herewith, which is a copy of a resolution that will be introduced in the Texas Legislature to-day, and we have every reason to believe that it will pass by unanimous consent.

The bankruptcy bill practically has the right of way on the Senate calendar, and is liable to be taken up at any time. In view of this fact, it is of the utmost importance that prompt action be had in the premises.

Sincerely hoping that your assistance may be had in this most beneficent measure, we remain,

Yours respectfully,

LEO WOLFSON, Secretary.

JOINT RESOLUTION.

Joint resolution requesting the Senate of the United States to pass a bankruptcy bill.

WHEREAS, The disastrous financial panic which has prevailed in the United States for some three years has visited bankruptcy and distress upon thousands of unfortunate debtors, and their hopelessly insolvent condition merits the consideration of the National Legislature; therefore,

SECTION 1. Be it resolved by the Legislature of the State of Texas, that the Senate of the United States be earnestly and respectfully requested to pass at the present session a Bankruptcy Act that shall give relief to the large and daily increasing debtor class now existing throughout the country.

SEC. 2. That the Senators from the State of Texas be requested to use every effort to speed the passage of the desired law.

SEC. 3. That the Secretary of the State of Texas transmit, immediately upon its passage, this joint resolution to the Senate of the United States.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gleaves: Senate Bill No. 292—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and six, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty-eight, and two thousand and eighty-three of the Political Code of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 293—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Referred to Committee on Military Affairs.

By Senator Earl: Senate Bill No. 294—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 295—An Act to provide for holding an annual exhibition in Southern California, to be known as Southern California State Fair.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 296—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 297—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 298—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 299—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Referred to Committee on Judiciary.

Also: Senate Bill No. 300—An Act to amend section one thousand two hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead and the value thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 301—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Referred to Committee on Judiciary.

Also: Senate Bill No. 302—An Act to provide for prosecuting attorneys for Police Courts in cities having more than fifty thousand and under one hundred and fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Referred to Committee on City, City and County, and Town Governments.

By Senator McGowan: Senate Bill No. 303—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-six of the Code of Civil Procedure of the State of California, relating to attachments.

Referred to Committee on Judiciary.

Also: Senate Bill No. 304—An Act making an appropriation to pay the claims of John Barry and William Connor.

Referred to Committee on Claims.

By Senator Aram: Senate Bill No. 305—An Act to prevent fraudulent or wash sales of goods sold on commission, and to prevent dishonest returns of sales, and to provide a punishment therefor.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 306—An Act to amend section one thousand and ninety-eight of the Penal Code of California, in relation to the trial of criminal cases, either separately or jointly, in the discretion of the Court.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 307—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health of the City and County of San Francisco," approved March 31, 1891.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 308—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Referred to Committee on Judiciary.

Also: Senate Bill No. 309—An Act entitled an Act to restrain the racing, running, trotting, or pacing of certain animals on racetracks in this State, between certain days, and limiting the period during which it shall be lawful to permit, carry on, or conduct race meetings or speed contests in this State, and making the violations of this Act a felony, and designating the punishment therefor.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator McAllister: Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, and to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Referred to Committee on Judiciary.

By Senator Fay: Senate Bill No. 311—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section one thousand two hundred and sixty-nine, relating to elections.

Referred to Committee on Elections.

By Senator Bert: Senate Bill No. 312—An Act entitled an Act to amend chapter one hundred and seventeen of the Penal Code, concerning vagrants.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Referred to Committee on Judiciary.

By Senator Mitchell: Senate Bill No. 314—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Referred to Committee on Corporations.

By Senator Gesford: Senate Bill No. 315—An Act to amend section one thousand six hundred and fifty-one of the Political Code of the State of California, relating to the duties and compensation of clerks of school districts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 316—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgage of personal property.

Referred to Committee on Judiciary.

By Senator Withington: Senate Bill No. 317—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Referred to Committee on Judiciary.

Also: Senate Bill No. 318—An Act to amend section three thousand seven hundred and ninety-four and section three thousand six hundred

and eight of the Political Code of this State, relating to assessment and taxation.

Referred to Committee on Judiciary.

Also: Senate Bill No. 319—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered two hundred and eighty-eight and two hundred and eighty-nine, to punish the crime of open and notorious cohabitation and adultery.

Referred to Committee on Judiciary.

Also: Senate Bill No. 320—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section sixty of said Civil Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 321—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 322—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes, by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight article eleven, of the Constitution," approved March 2, 1891.

Referred to Committee on Judiciary.

Also: Senate Bill No. 323—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and thirteen, three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Referred to Committee on Judiciary.

By Senator Withington: Senate Bill No. 324—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Referred to Committee on Judiciary.

By Senator Smith (by request): Senate Bill No. 325—An Act to pro-

vide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Referred to Committee on Finance.

By Senator Hart: Senate Bill No. 326—An Act to provide for the purchase of certain portraits.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Voorheis: Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Referred to Committee on Finance.

By Senator Whitehurst: Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Referred to Committee on Judiciary.

Also: Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Referred to Committee on Judiciary.

Also: Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Referred to Committee on Claims.

Also: Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural land.

Referred to Committee on Judiciary.

Also: Senate Bill No. 333—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 334—An Act to amend sections fourteen hundred and twenty-six, fourteen hundred and twenty-seven, and fourteen hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice or Police Court for a public offense.

Referred to Committee on Judiciary.

Also: Senate Bill No. 335—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to presentments by a grand jury.

Referred to Committee on Judiciary.

By Senator Pedlar: Senate Bill No. 336—An Act to require an inven-

tory of all State property, and directing the State Board of Examiners to keep a record of the same.

Referred to Committee on Judiciary.

By Senator Ford: Senate Bill No. 337—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State, from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Simpson: Senate Bill No. 338—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

Referred to Committee on Judiciary.

Also: Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Referred to Committee on Judiciary.

Also: Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 341—An Act to amend section two hundred and eighteen of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains.

Referred to Committee on Judiciary.

Also: Senate Bill No. 342—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Referred to Committee on Judiciary.

Also: Senate Bill No. 343—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 344—An Act to amend sections fifteen hundred and fifty-two and fifteen hundred and fifty-three of the Political Code, relating to the public schools.

Referred to Committee on Education and Public Morals.

By Senator Seawell: Senate Bill No. 345—An Act to amend section four thousand one hundred and twenty-one of the Political Code.

Referred to Committee on Judiciary.

By Senator Langford: Senate Bill No. 346—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

SENATE CONSTITUTIONAL AMENDMENTS.

By Senator Fay: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

By Senator Orr:

WHEREAS, It is made manifest by the recount now being had in the City and County of San Francisco that great frauds have been perpetrated in the recent election held in said city; and whereas, the perpetuity of our free institutions demands that the will of the people shall not be defeated by any corrupt practices; and whereas, the whole State is involved by such frauds and perjuries, and the will of the people as expressed at the polls set aside; therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate, with full power and authority to investigate all and singular the above charges, and all matters and things connected therewith and with the recent election in said city, and that such committee have full power to prosecute its inquiries in any and every direction necessary and proper in its judgment, to enable it to obtain and report the information required by this resolution; that said committee report to the Senate its proceedings hereunder with such recommendations as in its judgment the public interests require; said committee is given authority to send for persons and papers, and to employ a stenographer and necessary counsel, and to hold sessions in such counties, and cities and counties, as it may deem proper. The Sergeant-at-Arms of the Senate shall act as Sergeant-at-Arms for such committee, and serve subpoenas and other process, and perform all other necessary duties.

MOTION.

Senator Burke moved that the further consideration of the above resolution be postponed, and made a special order for Wednesday, January 23, 1895, at three o'clock P. M.

So ordered.

RESOLUTIONS.

By Senator McGowan:

Resolved, That J. C. Medley be and he is hereby appointed Assistant Minute Clerk of the Senate, at the same per diem as the assistants at the desk, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Mahoney:

Resolved, That J. W. Turner be and he is hereby appointed Rear Porter of the Senate, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Linder:

Resolved, That Harry E. Earl be and he is hereby appointed Porter to the Committees on Counties and County Boundaries, and Agriculture, Horticulture, Viniculture, and Viticulture, at a per diem of four dollars, to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ANNOUNCEMENT.

The hour of three o'clock P. M. having arrived, the President pro tem. announced for consideration the special orders heretofore set for this hour.

SPECIAL ORDERS—SENATE CONCURRENT RESOLUTION.

By Senator Mahoney:

SENATE CONCURRENT RESOLUTION No. 3.

Resolved by the Senate, the Assembly concurring, That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on Friday, January 25, 1895, to the hour of ten o'clock A. M., Tuesday, January 29, 1895.

Senator Seymour having moved to amend the resolution by substituting the word "Pavilion" in place of the words "State Capitol," asked unanimous consent to withdraw the same.

Granted.

Senator Ford moved to amend by adding thereto the following:

Provided, however, That in event a United States Senator be not elected before such adjournment on Friday, then, and in that event, the Senate and Assembly shall meet in Joint Assembly in the Assembly Chamber at twelve o'clock noon, on Saturday, the 26th, and also on Monday, the 28th inst., for the purpose of voting for United States Senator, unless a United States Senator be sooner elected.

Amendment adopted.

Senator Orr moved to reconsider forthwith the vote whereby the amendment to the resolution was this day adopted.

By unanimous vote of the Senate the motion to reconsider was adopted.

On motion of Senator Orr the consideration of the entire subject-matter was made a special order for Wednesday next at three o'clock and thirty minutes P. M.

By Senator Mahoney:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted during the evening of Monday, January 28, 1895, and to have the Senate Chamber placed in readiness for the occasion of the inaugural ball to be held on that evening, and the sum of two hundred dollars is hereby appropriated out of the Contingent Fund of the Senate to pay the expenses thereof.

By unanimous consent of the Senate Senator Mahoney withdrew the above resolution.

Also:

Resolved, That the sum of fifty dollars is hereby appropriated out of the Contingent Fund of the Senate, to the order of the Committee on Inaugural Ball, for the securing of music.

On motion of Senator Mahoney the above resolution was made a special order for Wednesday next at three o'clock and thirty minutes P. M., to follow other special orders.

Also:

Resolved by the Senate, That the Sergeant-at-Arms of the Senate be and he is hereby instructed to permit the Committee on Inaugural Ball and Banquet full use of the Senate Chamber, the Sergeant-at-Arms' rooms, and the various committee-rooms under his charge from and after the adjournment of the Senate on Friday, January 25, 1895, until its assembling on Tuesday, January 29, 1895.

On motion of Senator Mahoney the above resolution was made a special order for Wednesday next at three o'clock and thirty minutes P. M., to follow other special orders.

ANNOUNCEMENT OF COMMITTEE.

The President pro tem. announced the following as the Standing Committee on Retrenchment and Public Expenditures: Senators Seymour (Chairman), Bert, Shippee, Biggy, and Burke.

GENERAL FILE—FIRST READING OF BILL.

Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and placed on file for second reading.

RESOLUTION.

By Senator Burke :

Resolved, That Senate Bill No. 18 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

The roll was called, and Senate Bill No. 18 declared a case of urgency by the following vote :

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Ford, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—Senators Flint, Martin, and Orr—3.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read second time, considered engrossed, and ordered to third reading.

THIRD READING OF BILL.

Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read third time.

MOTION.

On motion of Senator Simpson the further consideration of Senate Bill No. 18 was postponed, by unanimous consent of the Senate.

ANNOUNCEMENT.

The hour of three o'clock and thirty minutes P. M. having arrived, the President pro tem. announced the special order set for this hour.

SPECIAL ORDER.

The consideration of the following communication by Senator Mahoney:

MR. PRESIDENT: I hereby tender my resignation as Chairman of the Committee on Commerce and Navigation.

J. H. MAHONEY.

On motion of Senator Orr the Senate, by unanimous vote, refused to accept the above tendered resignation.

REFERENCE.

On motion of Senator Seawell, Assembly Bill No. 290 was referred to the Committee on Finance.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Senator Simpson, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 22, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Androus was granted leave of absence for the day on account of sickness, on motion of Senator Simpson.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

APPROVAL OF JOURNAL.

The Journal of Friday, January 18, 1895, was approved.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 21, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SHIPPEE, Chairman.

Senate Bill No. 249 ordered on file.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

AMENDED BILL.

Your Finance Committee, to whom was referred Assembly Bill No. 290—"An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor"—respectfully report, recommending that section five be stricken out, and the title amended by striking out the words "make an appropriation therefor," and that the bill do pass as amended. The Finance Committee holds that there will be ample time to make an appropriation when the bill for revision is submitted February 24th. The sum of three thousand dollars, appropriated in the bill, seems excessive, when it is considered that the commission will not sit for more than twenty days, at a compensation of ten dollars for each Commissioner, or six hundred dollars for the three.

Estimating that clerks and attachés will receive as much as the Commissioners, the aggregate expense should not exceed twelve hundred dollars, whereas the bill calls for three thousand dollars. The Finance Committee therefore submits that the appropriation should be deferred until the amount necessary is ascertained.

VOORHEIS, Chairman.
LANGFORD.
LINDER.
HOYT.
MATHEWS.
BERT.
BIGGY.

Assembly Bill No. 290 ordered on file.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 51, relative to the transportation of insane female persons to the asylums.

Also: Senate Bill No. 57, relative to the furnishing of supplies for the support of indigent aged persons residing in the home of the "The Veterans' Home Association."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

PEDLAR, Chairman.

Senate Bills No. 51 and 57 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a secretary.

Also: Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Also: Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Also: Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Also: Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Has had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

Senate Bills Nos. 15, 1, 169, 122, 226, and 198 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code—has had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

McGOWAN, Chairman.

Senate Bill No. 73 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California—has had the same under consideration, and respectfully report that in the opinion of your committee the bill is in legal form, and recommend that it be re-referred to the Committee on Finance.

McGOWAN, Chairman.

Senate Bill No. 36 re-referred to Committee on Finance.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Earl: Senate Bill No. 347—An Act entitled "An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law."

Referred to Committee on Judiciary.

Also: Senate Bill No. 348—An Act to amend an Act entitled "An Act to establish a Naval Battalion, to be attached to the National Guard of California."

Referred to Committee on Military Affairs.

By Senator Hoyt: Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any

incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Referred to Committee on Judiciary.

By Senator Fay: Senate Bill No. 350—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Referred to Committee on Judiciary.

Also: Senate Bill No. 351—An Act to establish a uniform system of primary elections, regulating the conduct and management, and providing for the punishment of the violation thereof.

Referred to Committee on Elections.

By Senator Simpson: Senate Bill No. 352—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Referred to Committee on Judiciary.

By Senator Withington: Senate Bill No. 353—An Act to appropriate the sum of three hundred dollars to pay the claim of A. J. Wood for the capture of Francisco Torres.

Referred to Committee on Claims.

By Senator Franck: Senate Bill No. 354—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section sixty-six thereof, relating to the residence of county officers.

Referred to Committee on Judiciary.

By Senator Beard (by request): Senate Bill No. 355—An Act to provide for the formation, government, operation, and dissolution of street lighting districts in any part of the State, outside of the limits of incorporated cities and towns, for the lighting of streets and roads, the calling and conducting of elections in such districts, the assessment, levy, and collection, custody, and disbursement of taxes therein.

Referred to Committee on City, City and County, and Town Governments.

By Senator Ford: Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 357—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Referred to Committee on Judiciary.

Also: Senate Bill No. 358—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Referred to Committee on Judiciary.

Also: Senate Bill No. 359—An Act to amend section nine hundred

and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Referred to Committee on Judiciary.

Also: Senate Bill No. 360—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Referred to Committee on Judiciary.

Also: Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Referred to Committee on Judiciary.

Also: Senate Bill No. 362—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exceptions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Referred to Committee on Judiciary.

By Senator Bert: Senate Bill No. 364—An Act to enable all counties, incorporated towns or cities, or consolidated cities and counties of this State to use patented automatic voting or ballot machines at all elections therein.

Referred to Committee on Judiciary.

By Senator Langford: Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Referred to Committee on Finance.

Also: Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Referred to Committee on Finance.

GENERAL FILE—FINAL PASSAGE OF BILL.

Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

The bill having been read the first, second, and third times on a previous day, the President pro tem. announced that the bill was on its final passage.

Whereupon, on motion of Senator Ford, the further consideration of Senate Bill No. 18 was temporarily postponed.

RESOLUTIONS.

By Senator Mahoney:

Resolved, That H. Lorentzen be and he is hereby appointed Messenger between the Senate and Assembly, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Seymour:

Resolved, That George A. Leon, Assistant Register and File Clerk, be and he is hereby appointed Assistant Secretary, with the duties of and the same per diem as the other Assistant Secretaries, the same to be paid out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Simpson:

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant in favor of the Sergeant-at-Arms of the Senate, upon the appropriation for the contingent expenses of the Senate, for the sum of ninety-five dollars, in payment for nineteen copies of Finlayson's Street Law of California, delivered to the Secretary of the Senate for the use of the members of the Committee on City, City and County, and Town Governments, and the Committee on Judiciary, according to resolution of the Senate adopted January 18, 1895.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SENATE JOINT RESOLUTION.

By Senator Gleaves:

SENATE JOINT RESOLUTION No. 10.

WHEREAS, The Sacramento and San Joaquin Rivers, with their tributaries, constitute over a thousand miles of navigable channels, and traverse rich agricultural portions of California; and whereas, these rivers have not received at the hands of Congress that attention that their importance as commercial highways demand, and only in recent years have received any attention at all; and whereas, by the expenditure of a comparatively small sum of money the Sacramento River can be made navigable to a point above Redding, Shasta County, in which county there are immense deposits of coal and iron ore that must forever remain undeveloped unless afforded access to market by cheap water transportation; and whereas, these rivers not only afford cheap transportation to the products of the country tributary to them, but also regulate the charge by railroad transportation, the railroads running parallel with the rivers and being compelled to adjust their rates to meet water competition; and whereas, this decrease in cost of transportation is so much added to the wealth of the farmer and producer; and whereas, the welfare of California, and the development of its agricultural, mineral, and manufacturing resources imperatively require that these river systems should be improved so as to restore them to their original condition, and also extended so as to afford facilities for moving the products of a rich country now inaccessible to river navigation.

Resolved by the Senate, the Assembly concurring, That our Representatives in Congress be urgently requested and our Senators instructed to use all honorable means to secure the passage of a law by Congress putting the improvement of the Sacramento and San Joaquin Rivers and their tributaries under the contract system, and appropriating the sum of one million dollars for each system for the purpose of completing such work.

Resolved, That the Governor be requested to transmit by telegram to each of our Senators and Representatives in Congress a copy of these resolutions, and to forward attested copies to the Secretary of War, the Chief Engineer of the Army, the Chairman of the Committee of the House on Rivers and Harbors, and the Chairman of the Committee on Commerce of the Senate.

On motion of Senator Gleaves, Senate Joint Resolution No. 10 was made a special order for Wednesday, January 23, 1895, at two o'clock and thirty minutes P. M.

GENERAL FILE—FIRST READING OF BILL.

Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read first time, and placed on file for second reading.

WITHDRAWAL OF BILL.

Senator Mahoney, by unanimous consent, withdrew Senate Bill No. 76.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Mahoney: Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an Examining Engineer, to license engineers of portable and stationary steam engines and boilers, and to establish the duties and compensation of said engineer.

Referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over," approved March 12, 1885, is hereby amended to read as follows—has had the same under consideration, and respectfully report the same back, and recommend that it pass as amended.

McGOWAN, Chairman.

Senate Bill No. 28 ordered on file.

MOTION.

Senator Seymour moved that Senate Bill No. 136 be withdrawn from the Committee on Labor and Capital and referred to the Committee on Rentrenchment and Public Expenditures.

So ordered.

RECESS.

At eleven o'clock and thirty-five minutes A. M. the President pro tem. declared a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M. the Senate was reconvened.

President pro tem. Flint in the chair.

The roll was ordered called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Referred to Committee on Finance.

Also: Senate Bill No. 369—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Referred to Committee on Judiciary.

MOTION.

On motion of Senator Voorheis, the hour of recess was extended until after the Senate concluded the day's proceedings in relation to balloting for United States Senator.

BALLOTING FOR UNITED STATES SENATOR.

At twelve o'clock meridian, Senator Voorheis offered the following resolution:

Resolved, That the Senate do now proceed to name by viva voce vote a person for Senator in Congress from the State of California, for the term of two years, to fill the unexpired term of Hon. Leland Stanford, deceased, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, A. D. 1873," approved January 22, 1874.

Adopted.

CALL OF THE SENATE.

At twelve o'clock and four minutes P. M. Senator Voorheis moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

MOTION.

On motion of Senator Voorheis, further proceedings under the call of the Senate were dispensed with.

The Secretary of the Senate, by direction of the President pro tem., then read the following Act of Congress:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

NOMINATIONS FOR UNITED STATES SENATOR.

The President pro tem. of the Senate announced that nominations for the office of United States Senator, for the unexpired term of Hon. Leland Stanford, deceased, were now in order.

Senator Bert nominated the Hon. Andrew George Booth.

Senator Ford nominated the Hon. George C. Perkins.

Senator Simpson seconded the nomination of Hon. George C. Perkins.

Senator Seymour nominated M. H. de Young.

Senator Earl seconded the nomination of Hon. George C. Perkins.

Senator Gleaves seconded the nomination of Hon. George C. Perkins.

Senator McGowan nominated the Hon. Charles N. Felton.

Senator Voorheis seconded the nomination of Hon. George C. Perkins.

MOTION.

Senator Voorheis moved that the roll call be proceeded with for the election of a United States Senator.

So ordered.

The President pro tem. of the Senate declared nominations closed, and in accordance with the requirements of the section of the Act above quoted, the Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For M. H. de Young—Senators Hart, Linder, Mahoney, and Seymour.
For Geo. C. Perkins—Senators Aram, Beard, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, and Withington.
For John Daggett—Senators Arms, Dunn, Langford, Martin, Mitchell, and Toner.
For J. G. Maguire—Senator Fay.
For Andrew George Booth—Senator Bert.
For Charles N. Felton—Senator McGowan.
For Joseph J. Dwyer—Senator Biggy.
For B. D. Murphy—Senators Burke and Whitehurst.
For W. W. Foote—Senators Henderson and Mathews.
For Dennis Spencer—Senator Gesford.
For John Boggs—Senator Seawell.

PAIRED.

Senator McAllister announced that he was paired with Senator Androus.

Senator Androus would have voted for Hon. George C. Perkins.

Senator McAllister would have voted for Hon. William Jeter.

Total number of Senators voting.....	38
Necessary to a choice.....	20
M. H. de Young received.....	4
Geo. C. Perkins received.....	18
John Daggett received.....	6
J. G. Maguire received.....	1
Andrew George Booth received.....	1
C. N. Felton received.....	1
Joseph J. Dwyer received.....	1
B. D. Murphy received.....	2
Dennis Spencer received.....	1
W. W. Foote received.....	2
John Boggs received.....	1

Whereupon the President pro tem. so announced the result.

MOTION.

Senator Ford moved that the Senate proceed to take a second ballot for the election of a United States Senator.

So ordered.

The Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For M. H. de Young—Senators Hart, Linder, Mahoney, and Seymour.
For George C. Perkins—Senators Aram, Beard, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, and Withington.
For John Daggett—Senators Arms, Dunn, Langford, Martin, Mitchell, and Toner.
For J. G. Maguire—Senators Burke and Fay.
For B. D. Murphy—Senator Whitehurst.
For J. J. Dwyer—Senator Biggy.
For W. W. Foote—Senators Henderson and Mathews.
For A. G. Booth—Senator Bert.
For C. N. Felton—Senator McGowan.
For John Boggs—Senator Seawell.
For Bart Burke—Senator Gesford.

PAIRED.

Senator McAllister announced that he was paired with Senator Androus.

Senator Androus would have voted for Hon. George C. Perkins.

Senator McAllister would have voted for Hon. William Jeter.

Total number of Senators voting.....	38
Necessary to a choice.....	20
M. H. de Young received.....	4
George C. Perkins received.....	18
John Daggett received.....	6
J. G. Maguire received.....	2
B. D. Murphy received.....	1
J. J. Dwyer received.....	1
W. W. Foote received.....	2
A. G. Booth received.....	1
C. N. Felton received.....	1
John Boggs received.....	1
Bart Burke received.....	1

Whereupon the President pro tem. so announced the result.

MOTION.

Senator Voorheis moved that the Senate proceed to take another ballot for the election of United States Senator.

So ordered.

WITHDRAWAL.

Senator McGowan withdrew the name of Hon. Charles N. Felton, and announced that he would vote for Hon. George C. Perkins.

The Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For M. H. de Young—Senators Hart, Linder, Mahoney, and Seymour.
For Geo. C. Perkins—Senators Aram, Beard, Denison, Earl, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Martin, McGowan, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, and Withington.
For John Daggett—Senators Arms, Dunn, Langford, Mitchell, and Toner.
For J. G. Maguire—Senators Burke and Fay.
For J. H. Seawell—Senator Gesford.
For B. D. Murphy—Senator Whitehurst.
For J. J. Dwyer—Senator Biggy.
For W. W. Foote—Senators Henderson and Mathews.
For A. G. Booth—Senator Bert.
For John Boggs—Senator Seawell.

PAIRED.

Senator McAllister announced that he was paired with Senator Androus.

Senator Androus would have voted for Hon. George C. Perkins.

Senator McAllister would have voted for Hon. William Jeter.

Total number of Senators voting.....	38
Necessary to a choice.....	20
M. H. de Young received.....	4
George C. Perkins received.....	20
John Daggett received.....	5
J. G. Maguire received.....	2
J. H. Seawell received.....	1
B. D. Murphy received.....	1
J. J. Dwyer received.....	1
W. W. Foote received.....	2
A. G. Booth received.....	1
John Boggs received.....	1

Whereupon the President pro tem. so announced the result, and directed that the fact be entered in the Journal that the Hon. George C. Perkins received on this day a majority of all the votes cast for United States Senator for the unexpired term of the Hon. Leland Stanford, deceased.

RESOLUTION.

By Senator Voorheis:

Resolved, That the Secretary forthwith inform the Assembly of the vote for United States Senator in this Senate, and that the Senate will meet with the Assembly in the Assembly Chamber to-morrow, Wednesday, January 23, 1895, at twelve o'clock m., in Joint Assembly, for the purpose of electing or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, A. D. 1873," approved January 22, 1874.

Adopted.

RECESS.

At twelve o'clock and forty-five minutes p. m., on motion of Senator Seawell, the Senate took a recess until three o'clock p. m.

REASSEMBLED.

At three o'clock p. m. the Senate reassembled.

Hon. Thos. Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

ANNOUNCEMENT.

The hour of three o'clock p. m. having arrived, the President pro tem. announced for consideration the special order heretofore set for this hour.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor.

Section one read.

Section two read.

AMENDMENT.

Senator Orr moved to amend as follows:

By striking out of section two, line one, after the word "appointed" the word "one," and insert in same line after the word "Governor," the words, "one by the President of the Senate and one by the Speaker of the Assembly."

AYES AND NOES.

The ayes and noes were demanded by Senators Arms, Gesford, and Seawell.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Earl, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Voorheis—21.

NOES—Senators Arms, Biggy, Burke, Dunn, Fay, Gesford, Henderson, Holloway, Martin, Mathews, McAllister, Mitchell, Seawell, Toner, Whitehurst, and Withington—16.

MOTION.

Senator Arms moved that the enacting clause be stricken from the bill. The roll was called, and the enacting clause was stricken from the bill by the following vote:

AYES—Senators Arms, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—Senators Aram and Mahoney—2.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented by Senator Orr, read by title, and referred to Committee on Elections:

To the Senate of the State of California, and to each individual member thereof:

The Civic Federation of San Francisco, consisting of the organizations named below, in session January 21, 1895, passed unanimously the following resolutions, which are respectfully presented to your honorable body:

WHEREAS, We are credibly informed and believe that grave abuses exist in the Police Department of San Francisco; that State laws and municipal ordinances for the punishment of crime and for the suppression of vice are not enforced with impartiality and justice in this city; that because of criminal collusion between those who violate the law and those who are charged with its enforcement, gambling houses and other disorderly places are carried on with impunity, and immunity from prosecution; that blackmailing and extortion prevail in said police force to an alarming extent; and whereas, an overwhelming public sentiment in this city demands a thorough and searching investigation of such abuses and corruption; now, therefore, be it

Resolved, That the Civic Federation of San Francisco respectfully urges that your honorable body appoint an investigating committee, to act in conjunction with a similar committee from the Assembly, should one be constituted—otherwise to act alone; and that said committee be clothed with all needful powers and authority to make a rigid and thorough investigation of alleged abuses and corruption in the Police Department, and other branches of the municipal government of San Francisco under State control, against which tenable charges shall be presented; and especially to ferret out the instigators of the recent election frauds in this city.

Resolved, That we offer no suggestion as to the personnel of the committee, further than to urge that every precaution be taken to exclude from such committee every man whose name has in the slightest degree been connected by public rumor with any questionable proceeding of whatever character; for it is obviously of the last importance that said committee should command the perfect confidence of the people of the city and State in their integrity, and in their zeal in bringing offenders to justice.

To show the representative character of this Federation, and that it speaks for the good citizenship of San Francisco in this memorial, we append the subjoined list of the bodies included in it, and who join in the above action:

Citizens' Defense Association; Good Government Club; Law and Order League; Union for Practical Progress; Committee of Eleven; Builders' Exchange; Federated Trades; Anti-Dive Association; Society for Prevention of Cruelty to Children; Woman's Christian Temperance Union; Golden Gate Union of Christian Endeavor; Epworth League Alliance; Presbyterian Churches; Protestant Episcopal Churches; Congregational Churches; Methodist Episcopal Churches; Unitarian Churches; Baptist Churches; United Presbyterian Churches, and Home Protective League.

Done at a meeting held in San Francisco, January 21, 1895.

E. R. DILLE,
WALLACE BRADFORD,
MAURICE V. SAMUELS,
D. HANSON IRWIN,
Committee.

MOTION.

Senator Withington moved that Assembly messages be now taken up. So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed as amended, Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township govern-

ments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

S. J. DUCKWORTH, Chief Clerk.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senator Withington moved that the Senate concur in the following Assembly amendments to Senate Bill No. 197:

By striking out of the title, line four, printed bill, the word "in," and inserting the following: "and."

Amend by striking out of section two, page six, line fifty-six, printed bill, the word "for," and inserting the following: "where."

Amend by striking out of section two, page eleven, line two hundred and twelve, printed bill, the words "for attending Justice's Court, for each juror sworn to try the cause, per day, two dollars."

Amend by striking out of section three, page eleven, line three, printed bill, the word "as," and inserting the following: "or."

Amend by striking out of section three, page eleven, line nine of printed bill, the word "in," and inserting the following: "by."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 197?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Senators Aram, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved, and bill ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following:

Resolved, That the Chief Clerk forthwith inform the Senate of the vote for United States Senator in this Assembly and that the Assembly will meet with the Senate in the Assembly Chamber to-morrow, Wednesday, January 23, 1895, at twelve o'clock meridian, in Joint Assembly, for the purpose of electing or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Pursuant to the above resolution, I certify that the

Whole number of votes cast was	80
Necessary to a choice	41
M. H. de Young received	12
Geo. C. Perkins received	42
W. W. Bowers received	3
John Daggett received	7
T. V. Cator received	1
W. W. Foote received	7
J. H. Neff received	5
J. B. Stetson received	1
John H. Wise received	1
O. A. Hale received	1

S. J. DUCKWORTH, Chief Clerk.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hoyt: Senate Bill No. 370—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection and inquiry into, by said Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and officers, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof, by said Board of Examiners.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 371—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads.

Referred to Committee on Corporations.

By Senator Seawell: Senate Bill No. 372—An Act to amend section two thousand six hundred and fifty-two of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder, approved March 31, 1891.

Referred to Committee on Roads and Highways.

By Senator Langford: Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Referred to Committee on Finance.

By Senator Orr: Senate Bill No. 374—An Act to establish the due execution and attestation of last wills and testaments.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Beard:

Resolved, That the sum of one hundred and five dollars be and the same is hereby appropriated out of the fund for contingent expenses of the Senate, payable to the order of J. W. King, manager of the Second Infantry Band, N. G. C., for services of the said band on inaugural day, as per annexed bill, and the Controller is hereby instructed to draw his warrant, and the Treasurer is directed to pay the same:

SACRAMENTO, January 11, 1895.

Inaugural Committee, Dr., to Second Infantry Band, N. G. C.:

To services of band of twenty pieces, for inaugural day..... \$105

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Ford moved that Senate Bill No. 18, the consideration of which was this day temporarily postponed, be now considered, and placed upon its final passage.

So ordered.

FINAL PASSAGE OF BILL.

Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

The bill having been previously read the first, second, and third times, the roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—Senators Denison, Flint, Martin, and Orr—4.

Title read and approved.

MOTION.

On motion of Senator Ford, the Secretary was instructed to transmit the same to the Assembly forthwith.

ADJOURNMENT.

At three o'clock and fifty-five minutes P. M., Senator Denison moved to adjourn until ten o'clock A. M. to-morrow.

Senator Bert moved as an amendment that the Senate adjourn, to meet at eleven o'clock A. M. to-morrow.

Amendment adopted.

Whereupon the President pro tem., at three o'clock and forty-nine minutes P. M., declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 23, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Androus was granted leave of absence for the day on account of sickness, on motion of Senator Orr.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNAL.

The Journal of Monday, January 21, 1895, was approved.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Also: Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Also: Senate Bill No. 120—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors at law, to practice in the Courts of record.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Has had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

Senate Bills Nos. 196, 230, 80, 81, 120, and 55 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Also: Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Also: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the County of Sacramento.

Has had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McGOWAN, Chairman.

Senate Bills Nos. 228, 46, and 250 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Also: Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections eighteen hundred and eighty-two and eighteen hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Has had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

McGOWAN, Chairman.

Senate Bills Nos. 203 and 253 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 3—Relative to payment of Pacific Railroad debt—has had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

Also: A substitute by Senator McGowan, with a recommendation that it also be adopted.

McGOWAN, Chairman.

Senate Joint Resolution No. 3 ordered on file.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 207—An Act to regulate the sale of milk—have had the same under consideration and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Also: Senate Bill No. 268—An Act to repeal sections one, two, three, four, five, six, seven, and ten of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also to repeal an Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February 26, 1885; and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners; to continue in force sections eight and nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, and enlarging the privileges of the Department of Agriculture of the University of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHIPPEE, Chairman.

On motion of Senator McGowan, Senate Bill No. 88 was referred to Committee on Finance.

Senate Bills Nos. 207, 262, and 268 ordered on file.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant in favor of the Sergeant-at-Arms of the Senate, upon the appropriation for the contingent expenses of the Senate, for the sum of ninety-five dollars, in payment for nineteen copies of Finlayson's Street Law of California, delivered to the Secre-

tary of the Senate for the use of the members of the Committee on City, City and County, and Town Governments, and the Committee on Judiciary, according to resolution of the Senate adopted January 18, 1895.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Biggy, Burke, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

REPORT OF SELECT COMMITTEE—MAJORITY REPORT.

Senator McAllister, of the Select Committee appointed by the last Legislature for the purpose of examining the Torrens Land Transfer Act of Australia, presented a report from said commission, and asked that the same be referred without reading to Committee on Judiciary.

So ordered.

MINORITY REPORT.

Senator Seawell presented a minority report from the same committee, and asked that same be referred without reading to Committee on Judiciary.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Langford: Senate Bill No. 375—An Act to create agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, and to repeal all amendatory Acts thereof, and to provide for the disposition of State property and records now in the possession of the Agricultural Associations of this State.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Hoyt: Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Franck: Senate Bill No. 377—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association, at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 378—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Referred to Committee on Judiciary.

Also: Senate Bill No. 379—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 380—An Act to amend section one thousand two hundred and sixty-three by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead and the rights arising therefrom.

Referred to Committee on Judiciary.

Also: Senate Bill No. 381—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Referred to Committee on Judiciary.

Also: Senate Bill No. 382—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Referred to Committee on Judiciary.

Also: Senate Bill No. 383—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 384—An Act to amend section sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the solemnizing of marriage.

Referred to Committee on Judiciary.

Also: Senate Bill No. 385—An Act to amend section one thousand and thirty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit brought.

Referred to Committee on Judiciary.

Also: Senate Bill No. 386—An Act to amend sections three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 387—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," ap-

proved March 12, 1872, relative to the fees to be collected by the Secretary of State, for services rendered by him in his official capacity.

Referred to Committee on Judiciary.

By Senator Henderson: Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company, for wharfage illegally collected.

Referred to Committee on Claims.

Also: Senate Bill No. 389—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on City, City and County, and Town Governments.

By Senator Fay: Senate Bill No. 390—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also (by request): Senate Bill No. 392—An Act to provide for the certification of land titles, and the simplification of the transfer of real estate.

Referred to Committee on Judiciary.

By Senator Shine: Senate Bill No. 393—An Act to make an appropriation to pay the claim of Alice Lampson Dodge, for services rendered by her assignors as members of the Constitutional Convention during the years 1878 and 1879.

Referred to Committee on Claims.

By Senator Langford: Senate Bill No. 394—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Linder: Senate Bill No. 395—An Act to diminish the number of Judges of the Superior Court of this State in and for the county of Tulare.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 396—An Act to regulate the sale and manufacture of commercial fertilizers.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Holloway: Senate Bill No. 397—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to add two new sections, to be known as sections two thousand six hundred and forty and two thousand six hundred and forty-four, all of the Political Code of the State of California, and relating to the powers and duties of highway officers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 398—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the trustees, to fix term of office of trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Referred to Committee on State Library and Rules.

By Senator Pedlar: Senate Bill No. 399—An Act to amend subdivision eleven of section one thousand five hundred and forty-three of an Act entitled "An Act to establish a Political Code," relating to the general duties of School Superintendents.

Referred to Committee on Education and Public Morals.

By Senator Bert (by request): Senate Bill No. 400—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rogers for the services rendered in running the elevator in the State Capitol.

Referred to Committee on Claims.

By Senator Orr: Senate Bill No. 401—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 403—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prisons, and bringing articles into the State Prisons.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 404—An Act to authorize the Directors of the Mendocino Asylum to purchase additional lands for the use of said asylum.

Referred to Committee on Public Buildings other than Prison Buildings.

GENERAL FILE—SECOND READING OF BILL.

Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read second time, and ordered to engrossment and to a third reading.

RESOLUTIONS.

By Senator Earl (by request):

Resolved, That J. Lynch be and he is hereby appointed Porter to the Lieutenant-Governor's room, No. 59, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also (by request):

Resolved, That the Controller is hereby directed to draw a warrant for sixty-nine dollars, payable out of the fund for contingent expenses of the Senate, in favor of the Sergeant-at-Arms, for incidental expenses as per bills rendered.

SACRAMENTO, CAL., January 23, 1895.

State of California to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

January 23—To amounts advanced as follows:

Bill of E. W. Schaeffer (voucher No. 1).....	\$0 75
Bill of L. L. Lewis (voucher No. 2).....	36 00
Bill of Crystal Palace (voucher No. 3).....	14 50
Bill of Union Ice Company (voucher No. 4).....	14 00
Bill of A. S. Hopkins Company (voucher No. 5).....	3 75
Total.....	\$69 00

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Beard:

Resolved, That Mabella Greenwald be and she is hereby appointed to the position of Assistant History Clerk of the Senate, at a compensation same as History Clerk, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Read first time.

Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read first time.

Senator Seymour asked leave to introduce several resolutions out of order.

Permission granted.

RESOLUTIONS.

By Senator Seymour:

Resolved, That H. R. West be and he is hereby appointed Committee-room Porter, at a per diem of four dollars, same to be paid out of the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That the Chairman of the Committee on Retrenchment and Public Expenditures of the Senate be and he is hereby authorized to appoint a stenographer, at the same per diem as the clerk of said committee, and payable out of the fund for contingent expenses of the Senate, and the Controller of the State is hereby authorized to draw his warrant therefor, and the Treasurer is directed to pay the same.

Senator Ford in the chair.

MOTION.

On motion of Senator Seymour, the Senate proceeded to consider the above resolution without referring the same to committee.

Senator Seymour moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

On motion of Senator Denison, the hour of recess was continued until after the Senate had returned from its deliberations in Joint Assembly and reassembled.

NOTIFICATION FROM ASSEMBLY.

A committee from the Assembly notified the Senate that it was ready to meet in joint session for the purpose of electing a United States Senator.

Whereupon the President pro tem., at eleven o'clock and fifty-five minutes A. M., declared a recess for the object above stated, and until the joint session adjourned.

At eleven o'clock and fifty-seven minutes A. M. the Senators proceeded in a body to meet in Joint Assembly, for the purpose of electing a United States Senator.

IN JOINT ASSEMBLY.

WEDNESDAY, January 23, 1895.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session, for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, A. D. 1873," approved January 22, 1874.

President pro tem. of the Senate, Hon. Thomas Flint, Jr., in conjunction with the Hon. John C. Lynch, Speaker of the Assembly, presiding.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll of the Assembly was called, and the following answered to their names:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price,

Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum of both houses present.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Act of Congress requiring a Joint Assembly to be held this day. It was read as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who receives a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either of them fail to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after organization of the thirty-first session, as relates to the election of a United States Senator to fill the unexpired term of Hon. Leland Stanford, deceased.

Whereby it appears that thirty-eight Senators were present, and voted each for his choice, and that the

Hon. Geo. C. Perkins received.....	20
M. H. de Young received.....	4
John Daggett received.....	5
J. G. McGuire received.....	2
J. H. Seawell received.....	1
B. D. Murphy received.....	1
J. J. Dwyer received.....	1
W. W. Foote received.....	2
A. G. Booth received.....	1
John Boggs received.....	1

The President pro tem. of the Senate then announced that it appeared from the reading of the Journal of the Senate that the Hon. George C. Perkins had received a majority of the votes of the Senate, and declared him the choice of the Senate for United States Senator to fill the unexpired term of Hon. Leland Stanford, deceased.

The Chief Clerk of the Assembly then read from the Journal of the Assembly so much of the proceedings of yesterday, which was the second Tuesday after the organization of the thirty-first session, as relates to the election of a United States Senator to fill the unexpired term of Hon. Leland Stanford, deceased.

Whereby it appears that eighty members of the Assembly were present, and voted each for his choice, and that

Hon. George C. Perkins received	42
M. H. de Young received	12
W. W. Bowers received	3
John Daggett received	7
T. V. Cator received	1
W. W. Foote received	7
J. H. Neff received	5
J. B. Stetson received	1
John H. Wise received	1
O. A. Hale received	1

The Speaker of the Assembly then announced that it appeared from the reading of the Journal of the Assembly that Hon. George C. Perkins had received a majority of the votes of the whole House, and declared him the choice of the Assembly for United States Senator to fill the unexpired term of Hon. Leland Stanford, deceased.

The President pro tem. of the Senate, Hon. Thomas Flint, Jr., then declared as follows: It appearing from the Journals of the Senate and Assembly, as read in Joint Assembly, that Hon. George C. Perkins has received a majority of all the votes of the Senate, and a majority of all the votes of the Assembly, I therefore declare Hon. George C. Perkins duly elected United States Senator in the Congress of the United States from the State of California, to fill the unexpired term of Hon. Leland Stanford, deceased.

RESOLUTION.

By Senator Voorheis:

Resolved, That the Secretary of the Senate and Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California, a copy of the proceedings of this Joint Assembly, pertaining to the election of a person to the United States Senate in Congress, from California, to fill the unexpired term of Hon. Leland Stanford, deceased, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, A. D. 1873," approved January 22, 1874, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the Assembly.

Adopted.

MOTION.

Mr. Dodge moved that in accordance with the usual custom, the Hon. Geo. C. Perkins be requested to address the Joint Assembly, and that a committee of five be appointed to wait upon him for that purpose.

The motion was seconded by Senator Gleaves, and carried.

APPOINTMENT OF COMMITTEE.

The President pro tem. of the Senate then appointed as such committee, Messrs. Dodge, Dixon, and Laugenour, and Senators Seymour and Mathews.

The committee appointed to wait upon Hon. George C. Perkins appeared at the bar of the House, and announced the presence of the guest—the distinguished citizen this day elected United States Senator.

President pro tem. Thomas Flint, Jr., of the Senate, then introduced to the Joint Assembly United States Senator-elect Hon. George C. Perkins, who addressed the members at length, and thanked them for the honor conferred and trust imposed.

The Journal of the proceedings in Joint Assembly was read and approved.

At one o'clock p. m. President pro tem. Thomas Flint, Jr., of the Joint Assembly, announced that both houses having performed their duties regarding the election of a United States Senator, the Joint Assembly stood adjourned.

THOS. FLINT, JR.,
President pro tem. of the Senate.
F. J. BRANDON,
Secretary of the Senate.
JOHN C. LYNCH,
Speaker of the Assembly.
S. J. DUCKWORTH,
Chief Clerk of the Assembly.

REASSEMBLED.

At one o'clock and three minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Bert, Biggy, Burke, Denison, Fay, Flint, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTION.

By Senator Denison:

Resolved, That Mr. M. F. Dillon be and he is hereby appointed Assistant Secretary, with the duties of Entry Clerk assigned him, the per diem payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

At one o'clock and five minutes p. m., on motion of Senator Voorheis, the Senate took a recess until two o'clock and thirty minutes p. m.

REASSEMBLED.

At two o'clock and thirty minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington.

Quorum present.

QUESTION OF PRIVILEGE.

Senator Simpson arose to a question of privilege, and said that the "San Francisco Morning Call" had reported him as placing the Hon. M. H. de Young in nomination for United States Senator yesterday, when that credit belonged to Senator Seymour and not to himself.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes P. M. having arrived, the President pro tem. announced the special order set for this hour, namely, the consideration of Senate Joint Resolution No. 10.

Whereupon Senator Gleaves moved that it first be considered in Committee of the Whole.

So ordered.

MOTION.

Senator Gleaves moved that the Senate go into Committee of the Whole, with Senator Ford in the chair, for the purpose of considering Senate Joint Resolution No. 10.

Carried.

IN COMMITTEE OF THE WHOLE.

SENATE CHAMBER,
Wednesday, January 23, 1895. }

Senator Tirey L. Ford in the chair.

Senate Joint Resolution No. 10 was considered in Committee of the Whole.

IN SENATE.

President pro tem. Thos. Flint, Jr., in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Senator Ford stated the report of the Committee of the Whole, as follows:

SENATORS: The Committee of the Whole have had under consideration Senate Joint Resolution No. 10—Relative to the improvement of the Sacramento and San Joaquin Rivers, and asking that each system be placed under contract, and that one million dollars be appropriated for each—and now report the same back to the Senate, and recommend that the same be adopted.

Report of committee adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

MOTION.

Senator Mathews moved that Assembly messages be now taken up.
So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 18 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in and adopted Senate Concurrent Resolution No. 2—Relative to entering the official oath of the Lieutenant-Governor upon the Journals of both houses. Also: Concurred in and adopted Senate Joint Resolution No. 1—Relative to passage of H. R. 119, Fifty-third Congress, in the Senate of the United States, relative to forest reservations.

S. J. DUCKWORTH, Chief Clerk.
By ANDY BRANCH, Assistant.

Senate Joint Resolution No. 1 was, on motion of Senator Mathews, ordered to enrollment, and to be transmitted to the Governor at once.

Senate Concurrent Resolution No. 2 ordered to enrollment.

SPECIAL ORDER.

The hour of three o'clock p. m. having arrived, the President pro tem. announced the special order set for this hour, namely, the consideration of resolution appointing special committee on election frauds.

RESOLUTION.

WHEREAS, It is made manifest by the recount now being had in the City and County of San Francisco that great frauds have been perpetrated in the recent election held in said city; and whereas, the perpetuity of our free institutions demands that the will of the people shall not be defeated by any corrupt practices; and whereas, the whole State is involved by such frauds and perjuries, and the will of the people as expressed at the polls set aside; therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate, with full power and authority to investigate all and singular the above charges, and all matters and things connected therewith and with the recent election in said city, and that such committee have full power to prosecute its inquiries in any and every direction necessary and proper in its judgment to enable it to obtain and report the information required by this resolution; that said committee report to the Senate its proceedings hereunder with such recommendations as in its judgment the public interests require; said committee is given authority to send for persons and papers, and to employ a stenographer and necessary counsel, and to hold sessions in such counties, and cities and counties, as it may deem proper. The Sergeant-at-Arms of the Senate shall act as Sergeant-at-Arms for such committee, and serve subpoenas and other process, and perform all other necessary duties.

Senator Orr submitted the following substitute, which, on motion of Senator Burke, was referred to Committee on Education and Public Morals:

WHEREAS, It is made manifest by the recount now being had in the City and County of San Francisco, that great frauds have been perpetrated in the recent election held in said city; and whereas, the perpetuity of our free institutions demands that the will of the people shall not be defeated by any corrupt practices, and the whole State is involved by such frauds and perjuries, and the will of the people as expressed at the polls set

aside; and whereas, it is charged that most grave abuses exist in the Police Department of said city, and municipal ordinances for the punishment of crime and for the suppression of vice are not enforced with impartiality and justice; that because of criminal collusion between those who violate the law and those charged with its enforcement, gaming houses and other disorderly places are carried on with impunity and immunity from prosecution; that blackmailing and extortion prevail in the police force to an alarming extent; therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate, with full power and authority to investigate all and singular the above charges, and all matters and things connected therewith, and with the recent election in said city, and with the said Police Department, and that such committee have full power to prosecute its inquiries in any and every direction necessary and proper in its judgment to enable it to obtain the information required by this resolution; that said committee report to the Senate its proceedings hereunder, with such recommendations as, in its judgment, the public interests require. Said committee is given authority to send for persons and papers, and to employ a stenographer and necessary counsel, and to hold sessions in such counties as it may deem proper. The Sergeant-at-Arms of the Senate shall act as Sergeant-at-Arms for such committee, and serve subpoenas and other process, and perform all other necessary duties.

MOTION.

Senator Orr moved that the consideration of the original resolution be made a special order for three o'clock P. M. to-morrow.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Simpson:

Resolved, That E. B. Lindley be and he is hereby substituted as History Clerk of the Senate, in the place of U. E. White, with same per diem.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 405—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 406—An Act appropriating money to pay the claim of T. Carl Spelling for legal services.

Referred to Committee on Finance.

By Senator Bert: Senate Bill No. 407—An Act to create and administer a School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Referred to Committee on Education and Public Morals.

By Senator Hoyt: Senate Bill No. 408—An Act to amend section three thousand and two of the Civil Code of the State of California, relating to pledges.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 409—An Act to amend section seventeen of the Political Code, relative to certain words and what they include.

Referred to Committee on Judiciary.

Also: Senate Bill No. 410—An Act to amend section fourteen of the Civil Code, relating to certain terms defined.

Referred to Committee on Judiciary.

Also: Senate Bill No. 411—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Referred to Committee on Judiciary.

Also: Senate Bill No. 412—An Act to amend section seven of the Penal Code, relating to certain words, and what included in definition.

Referred to Committee on Judiciary.

Also: Senate Bill No. 413—An Act to permit the formation of special road districts, and provide for additional taxes for road purposes.

Referred to Committee on Roads and Highways.

By Senator Ford: Senate Bill No. 414—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Referred to Committee on Judiciary.

Also: Senate Bill No. 415—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicide.

Referred to Committee on Judiciary.

Also: Senate Bill No. 416—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions.

Referred to Committee on Judiciary.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

The following Constitutional Amendment was introduced, read by title, and referred to Committee on Constitutional Amendments:

By Senator Ford: Senate Constitutional Amendment No. 15—To propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relating to the "Judicial Department."

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Read first time.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read first time.

Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Read first time.

Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corpo-

rations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read first time.

Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read first time.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read first time.

Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Read first time.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Read first time.

Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over," approved March 12, 1885, is hereby amended to read as follows.

Read first time.

SPECIAL ORDER.

The hour of three o'clock and thirty minutes P. M. having arrived, the President pro tem. announced the special order set for this hour, namely, the consideration of Senate Concurrent Resolution No. 3:

SENATE CONCURRENT RESOLUTION No. 3.

Resolved by the Senate, the Assembly concurring, That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol from and after the adjournment of the Legislature on Friday, January 25, 1895, to the hour of ten o'clock A. M. Tuesday, January 29, 1895.

Senator Ford was granted unanimous consent of the Senate to withdraw the following amendment, submitted by him on a previous day:

Provided, however, that in event a United States Senator be not elected before such adjournment on Friday, then, and in that event, the Senate and Assembly shall meet in Joint Assembly in the Assembly Chamber at twelve o'clock noon, on Saturday, the 26th, and also on Monday, the 28th inst., for the purpose of voting for United States Senator, unless a United States Senator be sooner elected.

Amendment withdrawn.

AMENDMENT.

Senator Orr moved that the word Saturday be substituted for Friday, and that the dates be changed to correspond therewith.

Adopted.

The resolution as amended was thereupon adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleeves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

Also:

Resolved by the Senate, That the Sergeant-at-Arms of the Senate be and he is hereby instructed to permit the Committee on Inaugural Ball and Banquet full use of the Senate Chamber, the Sergeant-at-Arms' rooms, and the various committee-rooms under his charge, from and after the adjournment of the Senate on Friday, January 25, 1895, until its assembling on Tuesday, January 29, 1895.

AMENDMENT.

Senator Orr moved that the word Saturday be substituted for Friday, and that the dates be changed to correspond therewith.

Adopted.

The resolution as amended was thereupon adopted.

Also:

Resolved, That the sum of fifty dollars is hereby appropriated out of the Contingent Fund of the Senate, to the order of the Committee on Inaugural Ball, for the securing of music.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

RESOLUTIONS—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted during the evening of Monday, January 28, 1895, and to have the Senate Chamber placed in readiness for the occasion of the inaugural ball to be held on that evening, and the sum of two hundred dollars is hereby appropriated out of the Contingent Fund of the Senate to pay the expenses thereof.

Senator Mahoney moved the adoption of the resolution without reference to committee.

Whereupon the roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Denison, Dunn, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—29.

NOES—None.

By Senator Gleaves:

Resolved, That a sub-committee of three from the Committee on Harbors, Rivers, and Coast Defenses, be granted a leave of absence to visit San Francisco, in the interest of matters of State interest now before said committee.

Adopted.

By Senator Hoyt:

Resolved, That A. L. Rossi be and he is hereby appointed Assistant Secretary to the Senate, at the same per diem as the other assistants at the desk, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At three o'clock and thirty-six minutes P. M. the Senate, on motion of Senator Withington, was declared adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Thursday, January 24, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Androus was granted leave of absence for the day on account of sickness, on motion of Senator Orr.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Dunn.

APPROVAL OF JOURNAL.

The Journal of Tuesday, January 22, 1895, was approved.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 236—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Finance Committee.

Also: Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to

the Yosemite Valley—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Finance Committee, with a recommendation that it do pass as amended.

Also: Senate Joint Resolution No. 4—Relative to the boundary of Yosemite National Park—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOORHEIS, Chairman.

Senate Bills No. 236 and 148 re-referred to Committee on Finance.
Senate Joint Resolution No. 4 ordered on file.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 204—An Act to provide for the depositing of state and county funds in banks—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DENISON, Chairman.

Senate Bill No. 204 ordered on file.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Charles A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Senate Bill No. 251—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FRANCK, Chairman.

Senate Bills No. 248 and 251 re-referred to Committee on Finance.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred the following resolution:

WHEREAS, It is made manifest by the recount now being had in the City and County of San Francisco that great frauds have been perpetrated in the recent election held in said city; and whereas, the perpetuity of our free institutions demands that the will of the people shall not be defeated by any corrupt practices, and the whole State is involved by such frauds and perjuries, and the will of the people as expressed at the polls set aside; and whereas, it is charged that most grave abuses exist in the Police Department of said city, and municipal ordinances for the punishment of crime and for the suppression of vice are not enforced with impartiality and justice; that because of criminal collusion between those who violate the law and those charged with its enforcement, gaming houses and other disorderly places are carried on with impunity, and immunity from prosecution; that blackmailing and extortion prevail in the police force to an alarming extent; therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate with full power and authority to investigate all and singular the above charges, and all matters and things connected therewith, and with the recent election in said city, and with the said Police Department, and that such committee have full power to prosecute its inquiries in any and every direction necessary and proper in its judgment, to enable it to obtain and report the information required by this resolution; that said committee report to the Senate its proceedings hereunder with such recommendations as in its judgment the public interests require; said committee is given authority to send for persons and papers, and to employ a stenographer and necessary counsel, and to hold sessions in such counties as it may deem proper. The Sergeant-at-Arms of the Senate shall act as Sergeant-at-Arms for such committee, and serve subpoenas and other process, and perform all other necessary duties.

Have had the same under consideration, and respectfully report the same back without recommendation.

EARL, Chairman.

MOTION.

On motion of Senator Orr, the consideration of the above resolution was made a special order for this day, at three o'clock P. M.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Mr. M. F. Dillon be and he is hereby appointed Assistant Secretary, with the duties of Entry Clerk assigned him, the per diem payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.
ARMS.
MCALLISTER.
FLINT.

On motion of Senator Voorheis the above resolution was referred to the Committee on Retrenchment and Public Expenditures.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom were referred the following resolutions, respectfully recommends their adoption:

Resolved, That the Controller is hereby directed to draw a warrant for sixty-nine dollars, payable out of the fund for contingent expenses of the Senate, in favor of the Sergeant-at-Arms, for incidental expenses as per bills rendered:

SACRAMENTO, January 23, 1895.

State of California, to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

Jan. 23—To amounts advanced as follows:

Bill of E. W. Schaffer (voucher No. 1).....	\$0 75
Bill of L. L. Lewis (voucher No. 2).....	36 00
Bill of Crystal Palace (voucher No. 3).....	14 50
Bill of Union Ice Company (voucher No. 4).....	14 00
Bill of A. S. Hopkins Company (voucher No. 5).....	3 75

Total \$69 00

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Also:

Resolved, That George A. Leon, Assistant Register and File Clerk, be and he is hereby appointed Assistant Secretary, with the duties of and the same per diem as the other Assistant Secretaries, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Denison, Dunn, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Mahoney, Mathews, Mitchell, Seymour, Shine, Simpson, and Toner—19.

NOES—Senators Orr, Voorheis, Whitehurst, and Withington—4.

Also:

Resolved, That the sum of one hundred and five dollars be and the same is hereby appropriated out of the fund for contingent expenses of the Senate, payable to the order

of J. W. King, manager of the Second Infantry Band, N. G. C., for services of the said band on inaugural day, as per annexed bill, and the Controller is hereby instructed to draw his warrant, and the Treasurer is directed to pay the same:

SACRAMENTO, January 11, 1895.

Inaugural Committee, Dr., to Second Infantry Band, N. G. C.:

To services of band of twenty pieces, for inaugural day..... \$105

HART, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Flint, Ford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—26.

NOES—None.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Also: Senate Bill No. 79—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Also: Senate Bill No. 78—An Act entitled an Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and sixty-six, relative to certain actions when taxes have not been paid.

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Also: Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Also: Senate Bill No. 94—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Also: Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Also: Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Also: Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger.

Also: Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Also: Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Also: Senate Bill No. 294—An Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and retaining of jurors.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Also: Senate Bill No. 56—An Act to amend sections twelve hundred and thirteen and twelve hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof.

Also: Senate Bill No. 50—An Act to amend section eleven hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

Also: Senate Bill No. 39—An Act to amend section sixteen hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Senate Bill No. 41—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Also: Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an Act is to be done.

Also: Senate Bill No. 63—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Also: Senate Bill No. 45—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, powers, and duty of receivers.

Also: Senate Bill No. 52—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act, relating to debtors discharged.

Also: Senate Bill No. 54—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of Court to be made, and the proceedings to be had, upon the filing of petitions in insolvency.

Have had the same under consideration, and respectfully report the same back with-out recommendation.

Also: Senate Bill No. 98—An Act to amend sections sixteen hundred and seventy and sixteen hundred and seventy-one of the Political Code, relating to the establishment of high schools, and to provide for their support—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Education and Public Morals.

McGOWAN, Chairman.

Senate Bills Nos. 310, 79, 225, 155, 182, 183, 184, 78, 257, 99, 94, 91, 38, 40, 35, 313, 294, 119, 56, 50, 39, 41, 286, 63, 8, 45, 52, and 54 ordered on file.

Senate Bill No. 98 re-referred to Committee on Education and Public Morals.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Referred to Committee on Finance.

Also: Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Referred to Committee on Claims.

Also: Senate Bill No. 419—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on Hospitals.

By Senator Earl: Senate Bill No. 420—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.
Referred to Committee on Judiciary.

Also: Senate Bill No. 421—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Corporations.

Also: Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Referred to Committee on Claims.

By Senator Simpson: Senate Bill No. 423—An Act entitled "An Act to amend section two thousand nine hundred and fifty-five of the Civil Code," relative to mortgages on personal property.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 424—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers, and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 425—An Act to amend section one thousand six hundred and twenty-four of the Civil Code, relating to the manner of creating contracts.

Referred to Committee on Judiciary.

By Senator Smith: Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of sixteen hundred dollars.

Referred to Committee on Finance.

By Senator Mathews: Senate Bill No. 427—An Act to repeal "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises," approved March 23, 1893.

Referred to Committee on Corporations.

By Senator Seymour: Senate Bill No. 428—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Finance.

Also: Senate Bill No. 430—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation dis-

tricts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887; by amending section eighteen thereof.

Referred to Committee on Irrigation and Water Rights.

By Senator Voorheis: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Finance.

By Senator Pedlar: Senate Bill No. 432—An Act to amend section two thousand nine hundred and twenty-six of the Civil Code, relating to mortgage of real property, on what a lien.

Referred to Committee on Judiciary.

Also: Senate Bill No. 433—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Referred to Committee on Judiciary.

By Senator Henderson (by request): Senate Bill No. 435—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Franck: Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Referred to Committee on Finance.

Also: Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Referred to Committee on Finance.

Also: Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Finance.

By Senator McGowan: Senate Bill No. 439—An Act providing for the judicial establishment of wills, and of the status of testators, as related to wills so established, and for the custody and revocation of such wills.

Referred to Committee on Judiciary.

By Senator Withington: Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections three hundred and ninety-seven and three hundred and ninety-eight thereof, relative to place of trial.

Referred to Committee on Judiciary.

Also: Senate Bill No. 441—An Act to amend the Civil Code by adding a new section thereto, numbered eight hundred and eleven.

Referred to Committee on Judiciary.

Also: Senate Bill No. 442—An Act to amend section six hundred and eighty-nine of the Penal Code of the State of California, relating to the trial by jury of public offenses.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 443—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven of chapter seven of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seawell (by request): Senate Bill No. 444—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Referred to Committee on Public and Overflowed Lands.

By Senator Mathews: Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law or acting as attorneys or counselors at law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing, not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Referred to Committee on County Government and Township Organization.

By Senator Withington: Senate Bill No. 447—An Act to provide for the appointment of attorneys for foreign corporations, on whom service can be made.

Referred to Committee on Judiciary.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS.

The following Constitutional Amendments were introduced and read by title:

By Senator Holloway: Senate Constitutional Amendment No. 16—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Referred to Committee on Constitutional Amendments.

By Senator Bert: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section three of article twelve of the Constitution of the State of California, in relation to corporations.

Referred to Committee on Constitutional Amendments.

WITHDRAWAL OF BILL.

Senator Seymour was granted unanimous consent to withdraw Senate Bill No. 139.

Senate Bill No. 139 withdrawn.

WITHDRAWAL OF SENATE CONSTITUTIONAL AMENDMENT.

Senator Bert was granted unanimous consent to withdraw Senate Constitutional Amendment No. 10.

Senate Constitutional Amendment No. 10 withdrawn.

RESOLUTION.

By Senator Voorheis:

Resolved, That the State Printer be requested to print, and transmit immediately to this Senate, Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate, thirty-first session—and any time, at the request of the Secretary of the Senate, the State Printer shall print and send in any bill desired.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 82—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors—have had the same under consideration, and respectfully report the same back, and recommend that said bill be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 106—An Act authorizing and requiring boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations—hereby amend said bill by striking out of line six the words "by said board or commission," and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

Senate Bill No. 82 re-referred to Committee on County Government and Township Organization.

Senate Bill No. 106 ordered on file.

RESOLUTIONS—(OUT OF ORDER).

By Senator Ford:

Resolved, That the State Printer be and he is hereby directed to have printed for the use of the members of the Senate, two hundred and fifty copies of an address delivered by Hon. John J. Boyce before the California Bar Association on the twelfth day of January, 1895, relating to a permanent commission for the revision and reform of the laws, a copy of which address is hereto attached.

Adopted.

By Senator Seymour:

WHEREAS, The public welfare makes it necessary for the Committee on Retrenchment and Public Expenditures to investigate the condition of affairs in some of the public institutions and commissions of the State, to the end that proper economy in the management thereof may prevail; and that in order to do so it will be necessary to send for witnesses, books, and papers, and in some instances for a sub-committee of your committee to visit said institutions, and make personal inspection and investigation thereof; therefore, be it

Resolved, That the Committee on Retrenchment and Public Expenditures of the Senate be and is hereby authorized to investigate any of the public institutions and commissions of the State, and the management thereof, and in doing so, if necessary, to subpoena witnesses, and send for books, and papers, and visit said institutions and personally inspect the same.

MOTION.

Senator Smith moved to make the consideration of the above resolution the special order for three o'clock and thirty minutes P. M. to-day.
So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Orr:

Resolved, That L. M. Kinkead be and she hereby is appointed stenographer to the Committee on Corporations, at a salary of five dollars per day, payable out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Gleaves:

Resolved, That Oswald Grüttner be and he is hereby appointed Assistant File Clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrants in accordance with this resolution.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That S. F. Taylor be and he is hereby appointed Copying Clerk, at a per diem of eight dollars, payable out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That Samuel H. Calderwood be and he is hereby appointed Page to the Sergeant-at-Arms of the Senate, at a per diem of three dollars, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for such sum in favor of said Calderwood.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Holloway:

Resolved, That the Senate make no more appointments of attachés.

MOTIONS.

At eleven o'clock and forty-nine minutes A. M., pending the discussion on above resolution, on motion of Senator Voorheis, the hour of recess was extended until the matter under discussion was disposed of.

Senator Voorheis moved to amend the resolution by adding thereto the words, "except by a four-fifths vote of the Senate."

POINT OF ORDER.

Senator McGowan raised the point of order that the rules required that the resolution be referred to a committee, and until such reference had been made, and the committee reported, its consideration was out of order.

DECISION.

The President pro tem. decided the point of order well taken, and forthwith referred the resolution to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

At twelve o'clock and six minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Androus: Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young, for architect's fees for erection and construction of power and electric plant at the Whittier State School.

Referred to Committee on Claims.

Also: Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 450—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Hoyt: Senate Bill No. 451—An Act to authorize payment for service rendered in county of tenth class, now in thirteenth class.

Referred to Committee on Judiciary.

By Senator Smith: Senate Bill No. 452—An Act to amend sections

two thousand six hundred and eighty-four and two thousand six hundred and eighty-six of the Political Code, relating to highways.

Referred to Committee on Roads and Highways.

By Senator Ford: Senate Bill No. 453—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Referred to Committee on Judiciary.

Also: Senate Bill No. 454—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 455—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relating to letters of administration.

Referred to Committee on Judiciary.

SENATE JOINT RESOLUTION.

The following joint resolution was introduced, read by title, and referred to Committee on Federal Relations:

By Mr. Androus:

SENATE JOINT RESOLUTION No. 11.

Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

WHEREAS, The President of the United States has, by special message to Congress, called the attention of that body to a plan of a foreign corporation to lay an ocean cable from the British possessions in North America to the Hawaiian Islands, which said cable is to be under the control of Great Britain; and whereas, it is of great importance to the preservation of American interests in those islands that there should be direct cable communication between this country and the said islands; and whereas, a bill to construct such a cable is shortly to be introduced in Congress; therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That we instruct our Senators and urgently request our Representatives in Congress from this State, that they use every means in their power to secure the passage of said bill.

Resolved. That the Governor be requested to transmit to each of our Senators and Representatives in Congress of this State a copy of these resolutions.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules have had under consideration the subject of Standing Rules of the Senate, and respectfully report that the following be adopted as the Standing Rules of the Senate of California for the thirty-first session, to wit:

STANDING RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate, commencing Thursday, January 24, 1895, shall be eleven o'clock A. M. until February 4, 1895 (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting, and a recess shall be taken from twelve o'clock M. to two o'clock P. M.; *provided*, that on Mondays the time of meeting shall be two o'clock P. M. After February 4, 1895, the time of meeting of the Senate shall be ten o'clock, and a recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approving of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Special File.
8. Third Reading of Bills.
9. Second Reading of Bills.
10. Motions, Resolutions, and Notices.
11. First Reading of Bills.
12. Unfinished Business of the preceding day.
13. Special Orders of the day.
14. Reports from the Committee on Enrollment and on Engrossment shall at all times be in order; *provided*, that the messages from the Governor, State officers, and from the Assembly, may, on motion of any Senator, be considered at any time.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill, shall rise in his place and address the President, and upon being recognized, shall present the same; and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed upon each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall, by vote of ayes and noes, dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator have objected to such reading). Joint and concurrent resolutions shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise directs.

VII.—THE GENERAL FILE; ITS HOURS—SPECIAL ORDER OF BILLS ON FILE.

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes p. m., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VIII.—ORDER MAKING SPECIAL FILE.

The Secretary shall, from time to time, make up a file to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue and constitutional amendments, in the order named, and in the order in which the same may be reported to the Senate, and he shall place no other bills thereon.

IX.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable the Senators to understand their general purport.

X.—ENGROSSED BILLS TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

XI.—ENGROSSED BILLS HAVE PREFERENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a general file, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

XII.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

XIII.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XIV.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XV.—SHORT OF FINAL QUESTION, TWO-THIRDS VOTE NOT REQUISITE ON PROPOSITIONS TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XVI.—STANDING COMMITTEES.

The following standing committees shall be appointed:

1. Agriculture, Horticulture, Viniculture, and Viticulture—nine members.
2. Attachés, Contingent Expenses, and Mileage—five members.
3. Banks and Banking—seven members.
4. City, City and County, and Town Governments—nine members.
5. Claims—seven members.
6. Commerce and Navigation—seven members.
7. Constitutional Amendments—five members.
8. Corporations—eleven members.
9. Counties and County Boundaries—nine members.
10. County Government and Township Organization—nine members.
11. Education and Public Morals—seven members.
12. Elections—seven members.
13. Enrolled and Engrossed Bills—seven members.
14. Federal Relations and Immigration—seven members.
15. Finance—seven members.
16. Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game—five members.
17. Harbors, Rivers, and Coast Defenses—five members.
18. Hospitals—five members.

19. Irrigation and Water Rights—thirteen members.
20. Judiciary—fourteen members.
21. Labor and Capital—nine members.
22. Mines, Drainage, and Mining Debris—seven members.
23. Military Affairs—seven members.
24. Public Buildings other than Prison Buildings—eleven members.
25. Public Printing—three members.
26. Public and Swamp and Overflowed Lands—five members.
27. Retrenchment and Public Expenditures—five members.
28. Roads and Highways—seven members.
29. State Library and Rules—three members.
30. State Prisons and Prison Buildings—nine members.

XVI½.

No leave of absence shall be granted to any greater number than three of any standing or special committee, for the purpose of visiting any public building or institution, except by a two-thirds vote of the entire Senate.

XVII.—COMMITTEES APPOINTED BY THE PRESIDENT OF THE SENATE.

All committees of the Senate, standing and special, and all joint committees on the part thereof, shall be appointed by the President of the Senate, unless otherwise specially ordered.

XVIII.—CLERKSHIPS OF COMMITTEES.

The Chairman of each committee may appoint a Clerk without permission of the Senate.

XIX.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XX.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

XXI.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XXII.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any Senator, and read by the Secretary, before the same shall be debated. A motion may be withdrawn at any time before amendment.

XXIII.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXIV.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXV.—THE SENATOR ENTITLED TO FLOOR.

When two or more Senators rise at once, the President shall name the Senator who is to speak first.

XXVI.—SENATOR, WHEN CALLED TO ORDER, MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXVII.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT ON THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVIII.—AYES AND NOES—MEMBERS MUST ANSWER—NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly, and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

XXIX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn; *provided, however*, that it shall require twenty-one votes to carry any motion to reconsider the vote by which any bill has been passed or defeated. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXX.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator give notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXI.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL—VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall also be inserted in the Journal.

XXXIII.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXIV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXV.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed, without a vote of three fifths, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of three fifths of the Senators present, except that portion of Rule VI relating to the final passage of bills. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

XXXVI.—POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

XXXVII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXVIII.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

XXXIX.—SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms, for every arrest, for each day's custody and releasement, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XL.—MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the yeas and noes are being called, while the ballots are being counted, or while a Senator is addressing the Senate.

XLI.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, State officers, officers of the two houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator; and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIII.—PRINTING.

Five hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator, and a number equal to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLIV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLV.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Door-keeper, to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

XLVI.—ORDER OF ENGROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all Senate bills shall, after their final passage by and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and also a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate, required by law.

XLVIII.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution shall have the privilege of closing the debate.

XLIX.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

L.—FORM OF PREVIOUS QUESTION—CALL OF SENATE.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question.

LI.

A Senator, after the notice of motion to reconsider is given, as provided in Rule XXIX, may, at the time of consideration of such motion, present the main question in his argument thereon, and the same may be debated by the Senate.

EARL, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That Senate Bill No. 286 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 286 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—38.

NOES—None.

CASE OF URGENCY—FIRST READING OF BILL.

Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

Read first time.

SECOND READING OF BILL.

Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

During the second reading of the bill the following amendments suggested by the Committee on Judiciary were read:

AMENDMENT No. 1.

Insert at beginning of line three, printed bill, the words and figures "Section 1054."

Adopted.

AMENDMENT No. 2.

In line ten, printed bill, strike out after word "record" the word "or," and insert the words "for the" in lieu thereof.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

GENERAL FILE—SECOND READING OF BILLS.

Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

AMENDMENT.

Senator Gesford moved to amend by inserting the following enacting clause:

The People of the State of California, represented in Senate and Assembly, do enact as follows.

Amendment adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

AMENDMENTS.

During the second reading of the bill, Senator McAllister moved to amend by inserting, between the title and section one, the words:

The People of the State of California, represented in Senate and Assembly, do enact as follows.

And the words "section one."

Adopted.

Also: By adding to the end of section one, after the word "domicile," the words, "or by the law of this State."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over," approved March 12, 1885, is hereby amended to read as follows.

COMMITTEE AMENDMENTS.

During the second reading of the bill the following amendments suggested by the Committee on Judiciary were read:

AMENDMENT No. 1.

Strike out in title of printed bill all after the figures "1885."

Adopted.

AMENDMENT No. 2.

Insert after the enacting clause the following:

SECTION 1. Section one of an Act entitled "An Act to authorize the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities and cities and counties, of one hundred thousand inhabitants," approved March 12, 1885, is amended to read as follows.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTION.

Senator McAllister moved that the Senate proceed to the consideration of Senate Joint Resolution No. 4.

Unanimously carried.

SENATE JOINT RESOLUTION No. 4.

Joint Resolution relative to the boundaries of Yosemite National Park.

WHEREAS, There is now pending before the Fifty-third Congress of the United States of America a bill designated as H. R. 7872, "authorizing, in certain cases, the Secretary of the Interior, with the approval of the President, to alter the boundaries of the Yosemite National Park, a forest reservation in California"; and whereas, such bill does not specify the changes in boundary to be made, but leaves them to the discretion of the Secretary of the Interior; and whereas, the reservation, by the Federal Government, of the Yosemite National Park was an act of great benefit to the whole people of the State of California, in that the reservation protects the headwaters of the Tuolumne and Merced Rivers, and preserves the original grandeur of the Yosemite Valley; and whereas, any alteration of the boundary of the Yosemite National Park should be made only after the fullest publicity to the people of the State of California; therefore, be it

Resolved by the Senate and Assembly of the thirty-first session of the Legislature of the State of California, That the Fifty-third Congress be requested and urged not to pass the above described bill; but that any bill looking to the alteration of the boundary of the Yosemite National Park specify the alterations to be made, to the end that such alterations may not nullify the good effects now derived by the existence of the Yosemite National Park; and further be it

Resolved, That his Excellency the Governor be and he hereby is requested to forward to the Secretary of the Interior of the United States and to our Senators and Representatives in Congress a copy of this resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Voorheis, Whitehurst, and Withington—33.

NOES—None.

MOTION.

On motion of Senator Shippee, Senate Bill No. 268 was referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

SPECIAL ORDER.

The hour of three o'clock P. M. having arrived, the President pro tem. announced the special order set for this hour, namely, the consideration of the following resolution:

WHEREAS, It is made manifest by the recount now being had in the City and County of San Francisco that great frauds have been perpetrated in the recent election held in said city; and whereas, the perpetuity of our free institutions demands that the will of

the people shall not be defeated by any corrupt practices; and whereas, the whole State is involved by such frauds and perjuries, and the will of the people as expressed at the polls set aside; therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate, with full power and authority to investigate all and singular the above charges, and all matters and things connected therewith and with the recent election in said city, and that such committee have full power to prosecute its inquiries in any and every direction necessary and proper in its judgment to enable it to obtain and report the information required by this resolution; that said committee report to the Senate its proceedings hereunder with such recommendations as in its judgment the public interests require. Said committee is given authority to send for persons and papers, and to employ a stenographer and necessary counsel, and to hold sessions in such counties, and cities and counties, as it may deem proper. The Sergeant-at-Arms of the Senate shall act as Sergeant-at-Arms for such committee, and serve subpoenas and other process, and perform all other necessary duties.

And the following substitute:

WHEREAS, It is made manifest by the recount now being had in the City and County of San Francisco, that great frauds have been perpetrated in the recent election held in said city; and whereas, the perpetuity of our free institutions demands that the will of the people shall not be defeated by any corrupt practices, and the whole State is involved by such frauds and perjuries, and the will of the people as expressed at the polls set aside; and whereas, it is charged that most grave abuses exist in the Police Department of said city, and municipal ordinances for the punishment of crime and for the suppression of vice are not enforced with impartiality and justice; that because of criminal collusion between those who violate the law and those charged with its enforcement, gaming houses and other disorderly places are carried on with impunity and immunity from prosecution; that blackmailing and extortion prevail in the police force to an alarming extent; therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate, with full power and authority to investigate all and singular the above charges, and all matters and things connected therewith, and with the recent election in said city, and with the said Police Department, and that such committee have full power to prosecute its inquiries in any and every direction necessary and proper in its judgment to enable it to obtain the information required by this resolution; that said committee report to the Senate its proceedings hereunder, with such recommendations as, in its judgment, the public interests require. Said committee is given authority to send for persons and papers, and to employ a stenographer and necessary counsel, and to hold sessions in such counties as it may deem proper. The Sergeant-at-Arms of the Senate shall act as Sergeant-at-Arms for such committee, and serve subpoenas and other process, and perform all other necessary duties.

Senator Ford in the chair.

MOTION.

Senator McGowan moved that the further consideration of the resolution and substitute be made a special order for to-morrow morning immediately after reading the Journal.

AYES AND NOES.

Upon this question the ayes and noes were demanded by Senators Biggy, Gesford, and McAllister.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Beard, Bert, Burke, Denison, Dunn, Flint, Ford, Franck, Gleeves, Hart, Linder, McGowan, Orr, Pedlar, Seymour, Shine, Simpson, Smith, and Voorheis—20.

NOES—Senators Arms, Biggy, Fay, Gesford, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, Mitchell, Seawell, Shippee, Toner, and Whitehurst—17.

SPECIAL ORDER.

The hour of three o'clock and thirty minutes P. M. having arrived, the President pro tem. announced the special order set for this hour, namely, the consideration of the following resolution:

WHEREAS, The public welfare makes it necessary for the Committee on Retrenchment and Public Expenditures to investigate the condition of affairs in some of the public institutions and commissions of the State, to the end that proper economy in the management thereof may prevail, and that in order to do so it will be necessary to send for witnesses, books, and papers; and in some instances for a sub-committee of your committee to visit said institutions, and make personal inspection and investigation thereof; therefore, be it

Resolved, That the Committee on Retrenchment and Public Expenditures of the Senate be and is hereby authorized to investigate any of the public institutions and commissions of the State and the management thereof, and in doing so, if necessary, to subpoena witnesses, and send for books and papers, and visit said institutions, and personally inspect the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—Senators Arms, Denison, Dunn, Seawell, and Voorheis—5.

President pro tem. Thomas Flint, Jr., in the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows :

By Senator Arms: Senate Bill No. 456—An Act to provide for a general primary election within the State of California, and to promote the purity thereof, by regulating the conduct thereof, and to support the privilege of free suffrage thereat, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Referred to Committee on Elections.

By Senator McAllister: Senate Bill No. 457—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 458—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Referred to Committee on Corporations.

By Senator Seawell: Senate Bill No. 459—An Act to amend section three hundred and eight of the Penal Code of California, relating to the sale or furnishing of tobacco, or preparations of tobacco, to persons under sixteen years of age.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Senator Biggy:

Resolved, That the Attorney-General be and he is hereby requested to prepare at once for submission to the Senate, a bill providing for the appointment of a non-partisan commission, with ample power to investigate all violation of law by public officers, in

any department of State and of county or municipal governments, including the misconduct of the police of San Francisco; and also to investigate frauds upon, and violations of, the election laws committed at the last general election, with ample powers to compel the attendance of witnesses, with papers take testimony, and punish for contempt; said commission to pursue its investigations during the session of the Legislature, and subsequently, if necessary, and to report the result of their investigations to the Governor, and to the next session of the Legislature.

Referred to Committee on City, City and County, and Town Governments.

By Senator Shippee:

Resolved, That I. M. Terrill be and he is hereby allowed eight dollars for two days' services as Gatekeeper of the Senate, for the two days immediately after the organization of the Senate, payable out of the fund for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator McGowan:

Resolved, That Jas. Kidney be and is hereby appointed as Assistant Enrolling Clerk, at the same per diem paid the other Enrolling Clerks, the same to be made payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

.REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution, by Senator Holloway:

Resolved, That the Senate make no more appointments of attachés, except by a four-fifths vote of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the resolution and report adopted by the following vote:

AYES—Senators Aram, Beard, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mathews, McAllister, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Voorheis, and Whitehurst—26.

NOES—Senators Martin, McGowan, Toner, and Withington—4.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties—have had the same under consideration, and respectfully report the same as correctly enrolled.

SMITH, Chairman.

Senator Ford in the chair.

LEAVE OF ABSENCE.

President pro tem. Thomas Flint, Jr., was granted leave of absence for Friday and Saturday of this week by unanimous consent of the Senate.

MOTION.

On motion of President pro tem. Flint, the Senate, by a unanimous vote, chose the Hon. Tirey L. Ford, Senator from the Third District, to preside during his absence.

ADJOURNMENT.

At three o'clock and forty-nine minutes P. M. the Senate, on motion of Senator Voorheis, was declared adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Friday, January 25, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.
Hon. Tirey L. Ford, Senator from the Third District, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Henderson was granted a leave of absence for this day and to-morrow, on his own request.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

APPROVAL OF JOURNAL.

The Journal of Wednesday, January 23, 1895, was approved.

SPECIAL ORDER—IMMEDIATELY AFTER READING JOURNAL.

The time having arrived, the presiding officer announced the special order set for this hour, namely, the consideration of the resolution appointing a special committee on election frauds.

MOTION.

Senator Bert moved that the further consideration of the above special order be postponed and made a special order for Thursday, January 31, 1895, at three o'clock P. M.

So ordered.

PETITION.

Senator McGowan presented a petition from the Humboldt Chamber of Commerce, praying that the Legislature submit for the decision of the people the proposition to exempt all ocean-going shipping from State, County, and Municipal taxes.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom were referred the following resolutions:

Resolved, That L. M. Terrill be and he is hereby allowed eight dollars for two days' services as Gatekeeper of the Senate, for the two days immediately after the organization of the Senate, payable out of the fund for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Resolved, That J. Lynch be and he is hereby appointed Porter to the Lieutenant-Governor's room, No. 59, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Resolved, That Mabella Greenwald be and she is hereby appointed to the position of Assistant History Clerk of the Senate, at a compensation same as History Clerk, the same to be paid out of the fund for contingent expenses of the Senate.

Resolved, That H. R. West be and he is hereby appointed Committee-room Porter, at a per diem of four dollars, same to be paid out of the contingent expenses of the Senate.

Resolved, That A. L. Rossi be and he is hereby appointed Assistant Secretary to the Senate, at the same per diem as the other assistants at the desk, the same to be paid out of the Contingent Fund of the Senate.

Resolved, That H. Lorentzen be and he is hereby appointed Messenger between the Senate and Assembly, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back with-out recommendation.

Resolved, That L. M. Kinkead be and she hereby is appointed stenographer to the Committee on Corporations, at a salary of five dollars per day, payable out of the fund for the contingent expenses of the Senate.

Resolved, That Oswald Grittner be and he is hereby appointed Assistant File Clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrants in accordance with this resolution.

Resolved, That S. F. Taylor be and he is hereby appointed Copying Clerk, at a per diem of eight dollars, payable out of the fund for the contingent expenses of the Senate.

Resolved, That Samuel H. Calderwood be and he is hereby appointed Page to the Sergeant-at-Arms of the Senate, at a per diem of three dollars, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for such sum in favor of said Calderwood.

Resolved, That Jas. Kidney be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem paid the other Enrolling Clerks, the same to be made payable out of the Contingent Fund of the Senate.

Resolved, That J. C. Medley be and he is hereby appointed Assistant Minute Clerk of the Senate, at the same per diem as the assistants at the desk, the same to be paid out of the fund for contingent expenses of the Senate.

Resolved, That J. W. Turner be and he is hereby appointed Rear Porter of the Senate, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate.

Resolved, That Harry E. Earl be and he is hereby appointed Porter to the Committees on Counties and County Boundaries, and Agriculture, Horticulture, Viniculture,

and Viticulture, at a per diem of four dollars, to be paid out of the fund for contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

MOTIONS.

Senator Earl, from the Committee on State Library and Rules, moved that the report of the committee, submitted yesterday, be adopted.

Senator Bert moved as an amendment that the consideration of the report be made a special order for this day, immediately after the noon recess.

So ordered.

Senator Hart moved that the consideration of the report of the Committee on Attachés, Contingent Expenses, and Mileage be deferred until the Senate disposes of the question of adoption of report of Committee on State Library and Rules.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891—have had the same under consideration, and respectfully report the same as properly enrolled.

SMITH, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That Senate Bill No. 368 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 368 declared a case of urgency by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—28.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Read first and second times, considered engrossed, read a third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Whitehurst—30.

NOES—None.

Title read and approved.

MOTION.

Senator Voorheis moved that Senate Bill No. 368 be immediately transmitted to the Assembly.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 64—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 65—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 177—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 33—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 320—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section sixty of said Civil Code—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 306—An Act to amend section ten hundred and ninety-eight of the Penal Code of California, in relation to the trial of criminal cases either separately or jointly, in the discretion of the Court—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding-houses, and lodging-houses—have had the same under consideration, and respectfully report the same back, and recommend the passage of a substitute.

Also: Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 126—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto relating to percentage to be collected by officers, to be known as section four thousand three hundred and thirty-four—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on County Government and Township Organization.

McGOWAN, Chairman.

Senate Bills Nos. 64, 65, 177, 328, 329, 330, 33, 34, 320, 306, 270, and 215 ordered on file.

Senate Bill No. 126 re-referred to Committee on County Government and Township Organization.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

Senate Bill No. 242 ordered on file.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 69—An Act to pay the claim of William G. Hail—have had the same under consideration, and respectfully report the same back, and recommend that it pass as amended.

FRANCK, Chairman.

Senate Bill No. 69 ordered on file.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred the following resolution, by Senator Biggy:

Resolved, That the Attorney-General be and he is hereby requested to prepare at once for submission to the Senate, a bill providing for the appointment of a non-partisan commission, with ample power to investigate all violation of law by public officers, in any department of State, and of county or municipal governments, including the misconduct of the police of San Francisco; and also to investigate frauds upon, and violation of, the election laws, committed at the last general election, with ample powers to compel the attendance of witnesses, with papers, take testimony, and punish for contempt; said commission to pursue its investigations during the session of the Legislature, and subsequently, if necessary, and to report the result of their investigations to the Governor, and to the next session of the Legislature.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

MOTION.

On motion of Senator Biggy, the consideration of the above report and resolution was made a special order for Thursday, January 31, 1895, at three o'clock P. M.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 24, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

JAMES H. BUDD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on January 23, 1895, adopted the substitute for Assembly Joint Resolution No. 2—Relative to the Reilly Funding Bill.

S. J. DUCKWORTH, Chief Clerk.

Assembly Joint Resolution No. 2 referred to Committee on Judiciary.

MOTIONS.

Senator Mathews moved to consider forthwith Assembly Joint Resolution No. 2, relative to the Reilly Funding Bill, without referring same to committee.

Senator Smith moved that the further consideration of Assembly Joint Resolution No. 2 be made a special order for this day at three o'clock P. M.

Amendment accepted by Senator Mathews.

Senator McGowan moved as an amendment that further consideration of the above resolution be postponed and made a special order, to be considered with all resolutions relating to the Reilly Funding Bill, on Tuesday next, immediately after reading the Journal.

At eleven o'clock and forty-five minutes A. M., pending discussion on above resolution, Senator Voorheis moved that the hour of recess be extended until the matter under discussion was disposed of.

AYES AND NOES.

Upon this question the ayes and noes were demanded by Senators Voorheis, Biggy, and Seawell.

The roll was called, and the motion lost by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Fay, Franck, Gesford, McAllister, Pedlar, Seawell, Shippee, Voorheis, and Whitehurst—16.

NOES—Senators Aram, Denison, Earl, Ford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Smith, Toner, and Withington—20.

PREVIOUS QUESTION.

Senator Mathews moved the previous question.

The Acting President thereupon put the question, "Shall the main question be now put?"

The roll was called, and the motion lost by the following vote:

AYES—Senators Arms, Bert, Biggy, Burke, Fay, Franck, Gesford, Holloway, Mathews, Pedlar, Seawell, Shippee, Voorheis, and Whitehurst—14.

NOES—Senators Aram, Androus, Denison, Dunn, Ford, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Smith, Toner, and Withington—21.

MOTION.

Senator McGowan moved that the further discussion of the matter under consideration be made a special order for this day immediately after recess.

AYES AND NOES.

Upon this question the ayes and noes were demanded by Senators Seawell, Voorheis, and Biggy.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

RECESS.

At twelve o'clock M. the Acting President declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Tirey L. Ford, Acting President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

MOTION.

Senator Voorheis moved that Senate Bill No. 36 be recalled from the Committee on Finance, and be referred to Committee on Claims.
So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of Standing Committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on Finance respectfully submit that bills have been introduced and printed containing appropriations as follows, amounting to \$2,175,466 75:

Senate Bill No. 2—Claim of D. H. Wyckoff	\$800 00
Senate Bill No. 4—Advertising constitutional amendments	109,753 00
Senate Bill No. 6—Deficiency in appropriation for cost of suits	3,000 00
Senate Bill No. 9—Claim of Francis O'Hara and Richard Walsh	1,200 00
Senate Bill No. 7—Claim of Jerome Deasy	880 75
Senate Bill No. 14—Appropriation for University of California	250,000 00
Senate Bill No. 16—Claim of W. H. Murray	1,300 00
Senate Bill No. 23—Appropriations for buildings for University of California	250,000 00
Senate Bill No. 27—Appropriation for Deaf and Dumb Asylum	35,000 00
Senate Bill No. 31—Appropriation for Donner monument	2,500 00
Senate Bill No. 36—Claim of D. Jordan	161,000 00
Senate Bill No. 70—Claim of Mrs. Sarah J. Wing	5,000 00
Senate Bill No. 71—Claim of Mary M. Springer, widow of late State Printer	8,500 00
Senate Bill No. 72—Relief of Charles F. Wells	7,500 00
Senate Bill No. 75—Claim for reimbursing Marin County for prosecution of crimes committed at San Quentin Prison and inquests held over bodies of convicts in said prison	3,050 90
Senate Bill No. 83—Claim of A. G. Lafferty for supplies furnished Company A	600 00
Senate Bill No. 103—Deficiency in appropriation for State Normal School, Los Angeles, California	13,500 00
Senate Bill No. 104—Appropriation for furniture and apparatus, Normal School, Los Angeles	5,000 00

Senate Bill No. 105—Appropriation for heating and ventilating State Normal School, Los Angeles.....	\$6,500 00
Senate Bill No. 44—Indebtedness of National Guard.....	183,662 50
Senate Bill No. 68—Personal injuries of F. E. Jackson.....	25,000 00
Senate Bill No. 69—Claim of Wm. G. Hall.....	5,000 00
Senate Bill No. 162—Claim of Edwin Card.....	2,500 00
Senate Bill No. 152—Appropriation for cement floor, Normal School at Chico.....	1,200 00
Senate Bill No. 43—Purchase of additional grounds for Napa Asylum.....	653 00
Senate Bill No. 57—For support of Veterans Mexican War.....	45,000 00
Senate Bill No. 151—Fence for Chico Normal School.....	6,000 00
Senate Bill No. 148—Free road to Yosemite Valley.....	60,000 00
Senate Bill No. 140—Additional buildings for Southern California Insane Asylum.....	250,000 00
Senate Bill No. 139—For support of Southern California State Asylum.....	25,000 00
Senate Bill No. 138—Residence for Medical Director Southern California State Insane Asylum.....	5,400 00
Senate Bill No. 190—Advertising constitutional amendments.....	1,141 74
Senate Bill No. 193—Appropriation for reservoir, Preston School.....	16,000 00
Senate Bill No. 194—Appropriation for buildings, Preston School.....	83,000 00
Senate Bill No. 200—Appropriations Normal School, San Diego.....	50,000 00
Senate Bill No. 212—Folsom State Prison, 46th fiscal year, ending June 30, 1895.....	10,000 00
Senate Bill No. 213—Repairs for Folsom State Prison.....	25,000 00
Senate Bill No. 325—For elevator attendant.....	1,800 00
Senate Bill No. 304—Claim of John Barry.....	320 00
Senate Bill No. 327—Four months' salary for elevator attendant.....	300 00
Senate Bill No. 331—For R. J. Broughton, Sheriff of Santa Barbara County.....	121 50
Senate Bill No. 368—Contingent expenses of the 31st session of Senate.....	25,000 00
Senate Bill No. 236—For appropriation to University of California for moneys advanced State forestry stations.....	831 22
Senate Bill No. 237—Appropriation for State forestry stations.....	1,545 00
Senate Bill No. 238—Appropriations for Chico and Santa Monica forestry stations.....	10,000 00
Senate Bill No. 240—For purchase of residence for the Governor.....	60,000 00
Senate Bill No. 214—Appropriation for purchase of adjacent lands, Folsom prison.....	4,500 00
Senate Bill No. 232—For additional Judge of Superior Court, Yuba and Sutter Counties.....	4,000 00
Senate Bill No. 226—For additional Judge of Superior Court, Humboldt County.....	4,000 00
Senate Bill No. 88—To prevent deception in manufacture of butter.....	12,000 00
Senate Bill No. 127—Claim of W. P. Lampkin.....	300 00
Senate Bill No. 124—For Mendocino Asylum deficiency.....	45,000 00
Senate Bill No. 118—Appropriation for Charles Phipps.....	175 00
Senate Bill No. 129—For Administration Building, Mendocino Asylum.....	159,280 00
Senate Bill No. 134—Claim of Frank H. Lombard.....	89 00
Senate Bill No. 254—For portrait of Governor Markham.....	1,000 00
Senate Bill No. 251—Claim of José Ramon Pico.....	8,111 15
Senate Bill No. 250—For Superior Judge, Sacramento.....	4,000 00
Senate Bill No. 248—Claim of C. A. Hiatt.....	300 00
Senate Bill No. 291—Deficiency in contingent expenses of Senate, thirtieth session.....	339 00
Senate Bill No. 285—For additions and repairs at Folsom State Prison.....	160,000 00
Senate Bill No. 326—For purchase from W. Cogswell, portraits of John McDougal and Newton Booth.....	1,500 00
Senate Bill No. 366—Deficiency State Insane Asylum, Stockton.....	15,013 09
Senate Bill No. 365—Repairs State Insane Asylum, Stockton.....	15,000 00
Senate Bill No. 353—Claim of A. L. Wood of San Diego.....	300 00
Total.....	\$2,175,466 75

After providing for the support of schools and allowing other amounts fixed by law, there will not be money available under the 50-cent limit to meet the pending appropriations.

VOORHEIS, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries in cities having a population of less than five thousand, and more than fifteen hundred—have had the same under consideration, and respectfully report the same back, and recommend that the following be substituted therefor, and recommend its passage.

SIMPSON, Chairman.

Senate Bill No. 195 ordered on file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Arms: Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Referred to Committee on Judiciary.

By Senator Voorheis: Senate Bill No. 461—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-fourth fiscal year.

Referred to Committee on Finance.

By Senator Androus: Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Hoyt: Senate Bill No. 463—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Referred to Committee on Claims.

By Senator Linder: Senate Bill No. 464—An Act amending an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section thirty-seven of said Act, relating to the levy of assessments.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Referred to Committee on Counties and County Boundaries.

By Senator Earl: Senate Bill No. 466—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 468—An Act to appropriate the sum of one thousand and fifty-two dollars for the payment of the claim of Jerome Deasy.

Referred to Committee on Claims.

Also (by request): Senate Bill No. 469—An Act to amend section one hundred and forty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March

24, 1893, said amended section relating to the duties of County Surveyors.

Referred to Committee on County Government and Township Organization.

Also (by request): Senate Bill No. 470—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money, and the issuance of bonds by railroad corporations.

Referred to Committee on Judiciary.

By Senator Gesford: Senate Bill No. 471—An Act to amend section two hundred and two of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of county and township officers of counties of the fortieth class.

Referred to Committee on County Government and Township Organization.

By Senator Seawell: Senate Bill No. 472—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties.

Referred to Committee on Counties and County Boundaries.

MOTION.

Senator McAllister moved that the special order set for consideration immediately after recess, namely, Assembly Joint Resolution No. 2, be now taken up and considered.

So ordered.

Pending discussion on the above special order, Senator Earl moved that the special orders set for consideration immediately after the noon recess this day, namely, the consideration of the report of the Committee on State Library and Rules, and the consideration of the report of the Committee on Attachés, Contingent Expenses, and Mileage, be postponed and made special orders for Tuesday next immediately after the reading of the Journal.

So ordered.

The consideration of Assembly Joint Resolution No. 2 was then resumed.

POINT OF ORDER.

Senator Voorheis raised the point of order, that under the temporary rules of the Senate the shortest time was to be considered first.

The Acting President pro tem. decided the point well taken.

The question then being on the motion of Senator Mathews, that Assembly Joint Resolution No. 2 be made a special order for three o'clock P. M. this day.

The roll was called, and the motion lost by the following vote:

AYES—Senators Martin, Mathews, and Smith—3.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Gesford, Hart, Holloway, Hoyt, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—32.

The question then recurring on the motion of Senator McGowan, that the consideration of Assembly Joint Resolution No. 2, and all resolutions relating to the Reilly Funding Bill, be made a special order for Tuesday next, immediately after reading the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Ford, Franck, Hart, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Withington—23.

NOES—Senators Arms, Biggy, Burke, Earl, Fay, Gesford, Holloway, Mathews, McAllister, Pedlar, Seawell, Voorheis, and Whitehurst—13.

RESOLUTIONS—(OUT OF ORDER).

By Senator Withington:

Resolved, That a special committee of three be appointed to investigate and report to the Senate at the earliest possible time:

1. On how many officers and attachés are necessary for the Senate to transact its business speedily, conveniently, and efficiently.

2. What positions should be filled by such officers and attachés, and during what portions of the session.

3. The salaries which should be paid to each.

4. The method of election or appointment of such officers and attachés, and whether the appointment of the same, other than the Secretary and Sergeant-at-Arms, should not be lodged in the Secretary and Sergeant-at-Arms.

5. Whether it is expedient to fix by law the number of such officers and attachés, their positions, and their duties and salaries.

6. The number of officers and attachés of the Senate at the present time, their positions and the duties of each, the names of the persons filling such positions, and the amounts of their compensation.

7. The probable total expense of the salaries of such officers and attachés for the present session, if continued until the close of the session.

8. What officers and attachés of the Senate, if any, have not been punctual and constant in attendance upon their daily duties, naming each officer or attaché who has not been so punctual and constant, and the time when absent from such duty.

9. What officers and attachés of the Senate, if any, can be dispensed with during the whole or any part of this session, specifying each, and the portion of the session if less than the whole session.

10. What reduction can be made in the salaries of other officers and attachés, specifying each in detail.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Senator McGowan in the chair.

By Senator Voorheis (by request):

Resolved, That the committee having in charge the inaugural ball be requested, on behalf of the Senate, to give to each Page of the Senate one complimentary ticket to the ball for himself and lady, in consideration of services to be rendered by the Senate Pages on that occasion.

Adopted.

By Senator McGowan (at request of Senator Gleaves):

Resolved, That the Committee on Harbors, Rivers, and Coast Defenses be granted a leave of absence to visit San Francisco in the interest of matters of State interest now before said committee.

Adopted.

By Senator Androus:

Resolved, That a sub-committee of three from the Senate Committee on Public Buildings other than Prison Buildings be granted leave of absence for the purpose of visiting the State institutions in Southern California, in connection with the work of the committee.

MOTION.

Senator Burke moved that the consideration of the above resolution be postponed, and made a special order for Tuesday next at three o'clock P. M.

The roll was called, and the motion carried by the following vote:

AYES—Senators Beard, Burke, Franck, Hart, Holloway, Mahoney, Martin, Seawell, Seymour, Shine, Shippee, Smith, Voorheis, and Whitehurst—14.

NOES—Senators Aram, Androus, Bert, Ford, Hoyt, Mathews, McGowan, Orr, Pedlar, and Toner—10.

By Senator Orr:

Resolved, That all committees and members granted leave of absence to visit State institutions shall be allowed their actual expenses only, and no mileage.

MOTION.

Senator Mahoney moved that the resolution be referred to the Committee on Retrenchment and Public Expenditures.

The roll was called, and the motion lost by the following vote:

AYES—Senators Aram, Bert, Ford, Franck, Hart, Mahoney, Martin, Mathews, McGowan, Seawell, Seymour, and Simpson—12.

NOES—Senators Androus, Beard, Burke, Holloway, Hoyt, Orr, Pedlar, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—13.

SENATOR HART'S OPINION.

Senator Hart gave expression to his opinion to the effect that in the event of the adoption of Senator Orr's resolution, under the law the visiting members of the various committees would nevertheless be entitled to their mileage.

MOTION.

Whereupon Senator Orr moved that the resolution be referred to the Committee on Judiciary, for a decision on the question.

So referred.

By Senator Ford:

Resolved, That a sub-committee of three from the Committee on Military Affairs, and five from the Committee on State Prisons and Prison Buildings, be granted leave of absence for the purpose of visiting and examining public institutions in Southern California, in behalf of the work of those committees.

MOTION.

Senator Mathews moved to amend the resolution so that three members be substituted instead of five from the Committee on State Prisons and Prison Buildings.

Amendment accepted.

Senator Burke moved to make the consideration of the above resolution a special order for Tuesday next, at three o'clock P. M.

The roll was called, and the motion lost by the following vote.

AYES—Senators Burke, Martin, Shippee, Simpson, Smith, and Voorheis—7.

NOES—Senators Aram, Androus, Beard, Bert, Ford, Franck, Hart, Hoyt, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Toner, and Whitehurst—17.

The question then recurring on the adoption of the resolution as amended, the same was adopted.

MOTION.

On motion of Senator Seymour, the Senate proceeded to consider Assembly messages.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read :

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 6—Relative to the appointment of sub-committees by the Committee on Retrenchment and Public Expenditures.

S. J. DUCKWORTH, Chief Clerk.
By ANDY BRANCH, Assistant.

MOTION.

Senator Seymour moved that the Senate proceed to consider the resolution without referring the same to committee.

So ordered.

Assembly Concurrent Resolution No. 6—Relative to the appointment of sub-committees by the Committee on Retrenchment and Public Expenditures of either Senate or Assembly.

Senator Seymour moved its adoption.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Ford, Franck, Hart, Holloway, Hoyt, Mahoney, Martin, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Voorheis, and Whitehurst—22.

NOES—None.

MOTION.

Senator Ford moved that Senate Bill No. 286 be taken up and read a third time, and placed upon its final passage.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Ford, Franck, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Whitehurst—23.

NOES—None.

Title read and approved.

Senator Ford in the chair.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Holloway: Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children, to establish an electric light plant therein, to provide

accommodation for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 474—An Act to provide a depository for county funds.

Referred to Committee on Finance.

By Senator Hart: Senate Bill No. 475—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 476—An Act to pay the claim of Fred. Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Referred to Committee on Claims.

Also: Senate Bill No. 477—An Act prescribing the period in each year during which racing may take place upon any race track or ground within the State of California.

Referred to Committee on Corporations.

By Senator Seymour: Senate Bill No. 478—An Act to repeal an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary, and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof," as approved March 23, 1893.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Shine: Senate Bill No. 479—An Act to amend section one hundred and sixty, as amended March 15, 1887, of "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Court by Superior Judges of other counties, and providing for their actual expenses.

Referred to Committee on Judiciary.

Also: Senate Bill No. 480—An Act to amend section one hundred and forty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on County Government and Township Organization.

By Senator Mathews: Senate Bill No. 481—An Act to regulate the practice of architecture.

Referred to Committee on Public Buildings other than Prison Buildings.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

Resolved, That the sum of sixty-five dollars be and is hereby appropriated for a desk for the use of the Secretary of the Senate, and the necessary preservation of Senate records during the session, and the Controller is hereby authorized to draw his warrant in favor of the Secretary of the Senate, on the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Ford, Franck, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—24.

NOES—None.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M. the Senate, on motion of Senator Orr, was declared adjourned until to-morrow at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Saturday, January 26, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Tirey L. Ford, Senator from the Third District, acting President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Androus, Bert, Burke, Ford, Franck, Hart, Holloway, Martin, Mathews, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst.

The roll having been called, and it appearing that no quorum was present, acting President pro tem. Tirey L. Ford thereupon declared the Senate adjourned to meet on Monday, January 28, 1895, at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Monday, January 28, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Tirey L. Ford, Senator from the Third District, acting President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Ford, Franck, Gleaves, Hart, Linder, Mahoney, Mathews, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

The roll having been called, and it appearing that no quorum was present, acting President pro tem. Tirey L. Ford thereupon declared the Senate adjourned to meet on Tuesday, January 29, 1895, at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 29, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNALS.

During the reading of the Journals of Friday, Saturday, and Monday, the further reading was dispensed with, on motion of Senator Mathews.

APPROVAL OF JOURNALS.

The Journals of Thursday, January 24th; Friday, January 25th; Saturday, January 26th; and Monday, January 28th, 1895, were approved.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF THE JOURNALS.

The time having arrived, the President pro tem. announced the special orders set for this hour, namely, the consideration of report of Committee on State Library and Rules, report of Committee on Attachés, Contingent Expenses, and Mileage, Assembly Joint Resolution No. 2, relative to Reilly Funding Bill, and Senate Joint Resolution No. 3, relative to payment of Pacific railroad debts; also Senator McGowan's substitute on same subject.

FIRST SPECIAL ORDER.

Consideration of report of Committee on State Library and Rules.

MOTION.

Senator Earl, from the Committee on State Library and Rules, moved that the report of said committee submitting for adoption certain rules, to be known as the Standing Rules of the Senate, be adopted.

The roll was called, and the report of the Committee on State Library and Rules adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

SECOND SPECIAL ORDER.

Consideration of report of Committee on Attachés, Contingent Expenses, and Mileage.

Senator Hart, from the Committee on Attachés, Contingent Expenses, and Mileage, moved to take up for consideration the report of the committee submitted on Friday, January 25, 1895.

So ordered.

MOTIONS.

Senator Hart moved the adoption of the following resolution, being part of the report of the above committee:

Resolved, That I. M. Terrill be and he is hereby allowed eight dollars for two days' services as Gatekeeper of the Senate, for the two days immediately after the organization of the Senate, payable out of the fund for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Fay, Flint, Franck, Hart, Holloway, Hoyt, Martin, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—23.

NOES—None.

Senator Biggy moved that the remainder of the report submitted by the Committee on Attachés, Contingent Expenses, and Mileage, be laid on the table.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Fay, Flint, Franck, Hart, Hoyt, McAllister, Orr, Pedlar, Shippee, Simpson, Smith, Whitehurst, and Withington—20.

NOES—Senators Holloway, McGowan, Seymour, Shine, and Toner—5.

Senator Biggy moved that the consideration of the other special orders set for consideration at this hour be postponed and reset as special orders for eleven o'clock A. M. this day.

So ordered.

LEAVE OF ABSENCE.

Senator Gesford was granted leave of absence for the day, on motion of Senator Biggy.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 11, relative to poll tax—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Constitutional Amendment No. 2, relating to the right of suffrage—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

Senate Constitutional Amendments Nos. 2 and 11 ordered on file.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 265—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Also: Senate Bill No. 264—An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of twenty-five hundred dollars therefor," approved March 10, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 84—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit on the amount that may be distributed to any single person—have had the same under consideration, and respectfully report the same back without recommendation.

HOLLOWAY, Chairman.

Senate Bills Nos. 265, 264, and 84 ordered on file.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 26, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That a special committee of three be appointed to investigate and report to the Senate at the earliest possible time:

1. On how many officers and attachés are necessary for the Senate to transact its business speedily, conveniently, and efficiently.

2. What positions should be filled by such officers and attachés, and during what portions of the session.

3. The salaries which should be paid to each.

4. The method of election or appointment of such officers and attachés, and whether the appointment of the same, other than the Secretary and Sergeant-at-Arms, should not be lodged in the Secretary and Sergeant-at-Arms.

5. Whether it is expedient to fix by law the number of such officers and attachés, their positions, and their duties and salaries.

6. The number of officers and attachés of the Senate at the present time, their positions and the duties of each, the names of the persons filling such positions, and the amounts of their compensation.

7. The probable total expense of the salaries of such officers and attachés for the present session, if continued until the close of the session.

8. What officers and attachés of the Senate, if any, have not been punctual and constant in attendance upon their daily duties, naming each officer or attaché who has not been so punctual and constant, and the time when absent from such duty.

9. What officers and attachés of the Senate, if any, can be dispensed with during the whole or any part of this session, specifying each, and the portion of the session, if less than the whole session.

10. What reduction can be made in the salaries of other officers and attachés, specifying each in detail.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The question being on the adoption of the report, the same was adopted.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 25, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

JAMES H. BUDD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and adopted as amended, Senate Concurrent Resolution No. 3—Relative to the disposal of various department rooms, corridors, halls, etc., in and about the State Capitol building, for use during the inaugural ball.

S. J. DUCKWORTH, Chief Clerk.
By ANDY BRANCH, Assistant.

Amendment to Senate Concurrent Resolution No. 3 concurred in.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 450—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.
By JOHN VARCOE, Assistant.

Assembly Bill No. 450 referred to Committee on Finance.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate Joint Resolution No. 4—Relative to the boundary of Yosemite National Park.

Also: Concurred in Senate Joint Resolution No. 10—Relative to the improvement of the Sacramento and San Joaquin Rivers, and asking that each system be placed under contract, and that one million dollars be appropriated for each.

S. J. DUCKWORTH, Chief Clerk.

Senate Joint Resolutions Nos. 4 and 10 ordered to enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McAllister: Senate Bill No. 482—An Act to establish kindergarten schools, and to provide for the maintenance, support, and conduct of the same.

Referred to Committee on Education and Public Morals.

By Senator Fay: Senate Bill No. 483—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 484—An Act to amend sections one thousand and eighty-three and one thousand and eighty-four of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 485—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section one thousand three hundred and twenty-four.

Referred to Committee on Judiciary.

Also: Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 487—An Act providing for the giving of bonds by all persons who shall sell or give away malt, spirituous, or vinous liquors within the State of California.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Burke (by request): Senate Bill No. 488—An Act to establish a naval brigade, to be attached to the National Guard of California.

Referred to Committee on Military Affairs.

By Senator Hart: Senate Bill No. 489—An Act authorizing the State Capitol Commissioners to improve certain streets in the City of Sacramento, to wit: L Street, from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Linder: Senate Bill No. 490—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and seventy-three thereof, relating to counties of the eleventh class.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 491—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Referred to Committee on Judiciary.

By Senator Andrews: Senate Bill No. 492—An Act to appoint a committee to locate a penitentiary at some point in San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Fresno, Kings, Kern, San Benito, or Inyo County.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Linder: Senate Bill No. 493—An Act to amend sections eight hundred and six and eight hundred and seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on County Government and Township Organization.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 26, 1896.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 132—An Act to amend sections eighteen hundred and thirty, eighteen hundred and fifty-eight, eighteen hundred and eighty, eighteen hundred and eighty-four, and sixteen hundred and seventy of the Political Code, relating to the public schools—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education and Public Morals.

Also: Senate Bill No. 118—An Act making an appropriation to pay Charles Phipps, for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Claims.

Also: Senate Bill No. 77—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had, thereon; also by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also by amending section thirty-five of said Act, relating to insolvency proceedings by or against partnerships and corporations; also by amending section forty-eight of said Act, relating to debtors' discharge; also by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also by amending section sixty-four of said Act, relating to contempt; also by amending section sixty-five of said Act, relating to preferred claims for costs; also by amending section sixty-seven of said Act, relating to appeals—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 297—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Also: Senate Bill No. 299—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Also: Senate Bill No. 301—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Also: Senate Bill No. 312—An Act entitled an Act to amend chapter one hundred and seventeen of the Penal Code, concerning vagrants.

Also: Senate Bill No. 191—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 164—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice, and certified copies of records as evidence.

Also: Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Also: Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Also: Senate Bill No. 49—An Act to amend section seventy-three of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Courts.

Also: Senate Bill No. 142—An Act regulating and fixing the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling bags, bundles, packages, and their contents, and the personal property of guests, boarders, and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code.

Also: Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Also: Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Also: Senate Bill No. 362—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Also: Senate Bill No. 300—An Act to amend section twelve hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead and the value thereof.

Also: Senate Bill No. 296—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitations of actions.

Also: Senate Bill No. 298—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Also: Senate Bill No. 357—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Also: Senate Bill No. 358—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Also: Senate Bill No. 359—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Also: Senate Bill No. 360—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Also: Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to the waiver of trial by jury.

Also: Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Also: Senate Bill No. 342—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 345—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, Constables, and their deputies, from practicing law or acting as attorneys, and making said officials ineligible to the office of Notary Public.

Also: Senate Bill No. 217—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of five hundred dollars," approved February 18, 1874.

Also: Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Also: Senate Bill No. 224—An Act to amend section one thousand two hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand two hundred and seventy-one, relative to devises of real property by last will.

Also: Senate Bill No. 111—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

Also: Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 181—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Also: Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Also: Senate Bill No. 354—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section sixty-six thereof, relating to the residence of county officers.

Also: Senate Bill No. 97—An Act to regulate the trial of actions for divorce.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1893, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on City, City and County, and Town Governments.

McGOWAN, Chairman.

Senate Bill No. 132 re-referred to Committee on Education and Public Morals.

Senate Bill No. 118 re-referred to Committee on Claims.

Senate Bill No. 349 re-referred to Committee on City, City and County, and Town Governments.

SPECIAL ORDER.

The hour of eleven o'clock A. M. having arrived, the President pro tem. announced the special orders set for this hour, namely, the consideration of Substitute for Assembly Joint Resolution No. 2, relative to Reilly Funding Bill; also, Senate Joint Resolution No. 3, relative to the payment of Pacific Railroad debts; also Senator McGowan's substitute on same subject.

The Secretary read Substitute for Assembly Joint Resolution No. 2, as follows:

SUBSTITUTE FOR ASSEMBLY JOINT RESOLUTION No. 2.

Joint resolution relative to Reilly Railroad Funding Bill.

WHEREAS, The Central Pacific, Western Pacific, and Union Pacific Railroads did receive substantial aid for their construction from the Government of the United States by the issuance of bonds; and whereas, the payment of these bonds was guaranteed to the Government of the United States by mortgages on said railroads, which mortgages are about to fall due; and whereas, there is now under consideration before Congress a bill, known as the "Reilly Funding Bill," the object of which bill is to re-fund the above-mentioned bonds for fifty years, and permitting the above-mentioned railroads to escape the payment of their just debts to the Government; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring. That our Representatives in Congress be requested and our Senators be instructed to use all honorable means to prevent the passage of any and all such "Funding Bills," and to provide for the collection of the above-mentioned indebtedness to the Government of the United States by the foreclosure of the above-mentioned mortgages, to the end that the Government of the United States shall own and operate the above-mentioned railroads; and be it further

Resolved, That the Governor be and he is hereby requested to immediately transmit by telegraph a copy of these resolutions to each of our Representatives and Senators in Congress.

The Secretary then read Senate Joint Resolution No. 3, as follows:

SENATE JOINT RESOLUTION No. 3.

Joint resolution relative to the payment of Pacific Railroad debts.

WHEREAS, Any extension of time for payment, through the Government, of the Pacific Railroad debt by the so-called Reilly Funding Bill, or any other bill having a similar object, would entail upon the people of this State the principal burden of discharging said debts, and result only in offering additional benefits upon the private owners of said roads; and whereas, the experience of the past has demonstrated the inability or disinclination of said roads to discharge their just obligations; and whereas, every principle of justice and expediency demands that the mortgage bonds of said roads should be paid or foreclosed at maturity; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That our Senators and Representatives in Congress be instructed to oppose any attempt, and vote against any bill, to extend the time for the payment to the Government of the Pacific Railroad debts, and vote for a measure to foreclose at maturity the lien of the Government on these roads, and to have them bid in by the Government, and maintained as a national highway for the benefit and in the interest of the people, and to enforce against the stockholders of said roads the collection of any judgment for deficiency that may result upon said foreclosure.

Resolved, That the Governor be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

SUBSTITUTE.

Senator McGowan offered the following as a substitute for Substitute for Assembly Joint Resolution No. 2 and Senate Joint Resolution No. 3:

WHEREAS, The subsidy bonds of the United States, issued in aid of the construction of the Central Pacific Railroad, are about falling due, as well as the obligations of the Central Pacific Railroad Company to the United States arising in connection therewith, and a suitable time has now arrived for properly settling and determining the relations of the State of California and its people to the Central Pacific Railroad, and establishing upon a proper basis the future method of administration of said railroad, and the rates of compensation to be hereafter charged for transportation of persons and property thereon, in order that the State of California may now be relieved from the unjust burdens heretofore imposed upon it and its people in connection therewith; and whereas, California, since it became one of the States of the Union in 1850, has made large contributions to and for the benefit of the Government of the United States, for which, partly on account of its geographical separation from the older States of the Union, and its divergent interests, the said State has received comparatively little return or compensation in any form; and whereas, the contributions of the United States towards the construction of the Central Pacific Railroad were made, for the most part, in order to secure to the United States the creation of a transcontinental railroad

as a means of communication between widely separated portions of the country, and as a military necessity to and for the benefit of the whole of its people, and not for any special or particular benefit or advantage to the State of California; and whereas, owing to the high prices of gold, and of material and supplies, prevailing at the time of the construction of said railroad, and the mode and manner in which such construction thereof was carried on, the cost of said railroad, as represented by its first mortgage bonds, and the subsidy bonds of the United States issued in aid thereof, was greatly exaggerated; and whereas, divers bills, among others the bill known as the Reilly bill, are now pending in Congress, most of which bills contemplate an extension of the debt of the Central Pacific Railroad Company to the United States, and the retention of the said railroad in the hands of the present managers thereof; and whereas, notwithstanding the equitable right of the State of California and the people to the use of the said property, or much the greater part thereof, without imposing upon them any burdens predicated in anywise upon the cost of the creation of this railroad, as a military necessity for the use and benefit of the whole country, serious danger exists that the burden of providing for interest charges upon the great and extravagant outlay made in its construction may be thrown upon the commerce of California, and the commerce in which its people are interested; and whereas, in the opinion of the Legislature of the State of California, the use of the Central Pacific Railroad, or at least so much thereof as lies east of the City of Sacramento, should be furnished by the United States to the people of the State of California, and those interested and concerned in its commerce, without other compensation therefor than such charges as may reasonably suffice to defray the current expenses of the operation of such portion of said railroad, and the United States should provide and pay all costs and expenses growing out of the construction of said railroad, and the creation of said property.

Resolved by the Senate, the Assembly concurring, That the Senators and Representatives of the United States in Congress assembled, be and they are hereby earnestly requested to defeat said Reilly bill, and all other measures of the like character, for the extension of the debt of the Central Pacific Railroad Company to the United States, and that, in lieu thereof, an Act be passed providing that the United States shall, by its Secretary of War, or other proper officer designated by it on that behalf, enter into and take possession of and forever hereafter operate the said Central Pacific Railroad, or at least so much thereof as lies east of the City of Sacramento, and shall from its own resources pay, discharge, and cancel all existing debts constituting a lien on said property, and shall hereafter impose upon the commerce of the State of California, and that in which it and its people are interested, only such charges for transportation of persons and property over said road as may be required to provide for and pay the current operating expenses of said railroad, and that, subject to such payment of such current operating expenses, the State of California and its people, and those interested in the carrying on and promoting its commercial interests, shall hereafter be allowed the free use of said property.

At eleven o'clock and fifty-five minutes A. M., pending discussion on the above subject, Senator Ford moved that the hour of recess be extended until the matter under discussion be disposed of.

So ordered.

After debate, Senator McGowan moved the adoption of the substitute.

The roll was called, and the substitute submitted by Senator McGowan was adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Smith, Toner, and Voorheis—26.

NOES—Senators Biggy, Burke, Fay, Langford, Martin, Mathews, McAllister, Pedlar, Seawell, Whitehurst, and Withington—11.

Senators Seawell, Biggy, Burke, Fay, Langford, Mathews, McAllister, Whitehurst, and Pedlar stated that they desired the privilege of explaining their votes, on the adoption of Senator McGowan's substitute, at some future time.

Such privilege was accorded them.

RESOLUTION.

By Senator McGowan:

Resolved, That Frank J. Brandon, as Secretary of the Senate, be and is hereby authorized and directed to forthwith transmit, by telegraph, to the Clerk of the House of Representatives, the resolution of the Senate, now passed, referring to the Reilly Refunding Bill, and also state therein the vote by which said resolution passed the said Senate;

and the sum of eighty-five dollars is hereby appropriated for the purpose of sending said resolution, the same to be payable out of the fund for the contingent expenses of the Senate to said Frank J. Brandon, and the Controller is hereby authorized to draw his warrant in favor of said Frank J. Brandon for said sum, and the Treasurer is hereby directed to pay the same.

MOTIONS.

Senator Smith moved that the further consideration of the above resolution be postponed and made a special order for this day at two o'clock P. M.

Lost.

Senator McGowan moved to strike out the words "also state therein the vote by which said resolution passed said Senate."

So ordered.

The question then recurring on the adoption of the resolution as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Smith, Toner, and Voorheis—24.

NOES—Senators Biggy, Burke, Fay, Flint, Martin, Mathews, McAllister, Pedlar, Seawell, Whitehurst, and Withington—11.

The following Senators arose and stated that they desired the privilege of explaining their votes in writing at some future time: Senators Burke, Biggy, Langford, Mathews, McAllister, Pedlar, Seawell, and Withington. Whereupon by unanimous consent, each Senator so desiring was accorded the privilege above asked.

On motion of Senator Ford, Senate substitute for Substitute for Assembly Joint Resolution No. 2 and Senate Joint Resolution No. 3 was ordered immediately transmitted to the Assembly.

RECESS.

At twelve o'clock and forty-five minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Orr was granted leave of absence for the day on account of sickness, on motion of Senator McGowan.

INTRODUCTION OF BILLS.

The following bills and constitutional amendments were introduced, read by title, and referred to committees as indicated:

By Senator Ford: Senate Bill No. 494—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Referred to Committee on Judiciary.

Also: Senate Bill No. 495—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to deposition of witnesses in this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 496—An Act to amend sections thirteen hundred and six and thirteen hundred and seven of the Civil Code, relating to wills.

Referred to Committee on Judiciary.

By Senator Franck: Senate Bill No. 497—An Act to amend section fourteen hundred and sixty-five of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 498—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to sales by commissioner under decree of foreclosure of mortgage.

Referred to Committee on Judiciary.

By Senator Gleaves: Senate Bill No. 499—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, Calaveras, and Siskiyou.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 500—An Act regulating presumptions on appeal.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Senator Orr: Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

By Senator Earl:

Resolved by the Senate of the State of California, That our Senators be instructed and our Representatives in Congress be requested, to oppose and use all honorable means to defeat the passage of the Reilly Refunding Bill, or any bill of a similar nature.

Resolved, That upon default in the payment of the Pacific Railroad debts, that the Government foreclose its lien on said roads; and

Resolved further, That the Federal Government exhaust every endeavor to recover the legal and equitable assets of the said roads, wherever such assets may be found, whether the same be in the possession of private individuals, in the possession of incorporated or other estates of deceased stockholders in said roads, or whether the same be in the possession of other corporations, either railroad or otherwise.

Resolved, That the Governor be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

Senator Earl asked unanimous consent of the Senate for the immediate consideration of the above resolution.

Granted.

Senator McGowan moved to amend the resolution by adding after the word "otherwise," the following:

Provided, however, That nothing contained herein shall be construed as a legislative declaration of a waiver of rights under State laws upon the subject of shareholders' liability.

Amendment accepted by the author.

The resolution as amended was then adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—35.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 450—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 450 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 450 declared a case of urgency by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 450—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year.

Read first, second, and third times, and finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator McGowan:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills as per vouchers:

SACRAMENTO, January 29, 1895.

State of California to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

Jan. 25—John Breuner, desks, tables, bookcase.....	\$491 00
Jan. 21—Tom Scott, gas fixtures.....	161 50
Mrs. A. Mains, washing.....	50
Wilson & Co., 2½ dozen towels.....	18 65
Total.....	\$671 65

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read first time.

Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read first time.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Read first time.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Read first time.

Senate Bill No. 120—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission of attorneys and counselors-at-law, to practice in the Courts of record.

Read first time.

Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Read first time.

Senate Bill No. 228—An Act to amend section two hundred and

ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read first time.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Read first time.

Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Read first time.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Read first time.

Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Read first time.

Senate Bill No. 207—An Act to regulate the sale of milk.

Read first time.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Read first time.

Senate Bill No. 204—An Act to provide for the depositing of State and county funds in banks.

Read first time.

Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Read first time.

Senate Bill No. 79—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Read first time.

Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Read first time.

Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Read first time.

Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the

account with the County Clerk as to the disbursement of money and property of estates.

Read first time.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Read first time.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Read first time.

Senate Bill No. 78—An Act entitled an Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and sixty-six, relative to certain actions when taxes have not been paid.

Read first time.

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Read first time.

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Read first time.

Senate Bill No. 94—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Read first time.

Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five, of the Civil Code of the State of California, relating to the authentication of marriages.

Read first time.

Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read first time.

Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger.

Read first time.

Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read first time.

Senate Bill No. 294—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Read first time.

Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Read first time.

Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Read first time.

Senate Bill No. 56—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof.

Read first time.

Senate Bill No. 50—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

Read first time.

Senate Bill No. 39—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read first time.

Senate Bill No. 41—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Read first time.

Senate Bill No. 63—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled.

Read first time.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Read first time.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Earl was granted unanimous consent to introduce the following concurrent resolution:

SENATE CONCURRENT RESOLUTION No. 4.

Concurrent resolution approving four certain amendments to the charter of the City of Oakland, in Alameda County, California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the twenty-sixth day of January, 1895.

WHEREAS, The legislative authority of the City of Oakland, Alameda County, California, that is to say, the City Council of said city, did, by Ordinance No. 1643, passed by said City Council on the thirtieth day of October, A. D. 1894, and approved by the Mayor of said city on the thirtieth day of October, 1894, propose to the qualified electors of said City of Oakland four certain amendments to the charter of the said city, which said amendments were and are in the words and figures following, to wit:

That section sixty-three of article six of said charter be amended so as to read as follows:

SEC. 63. There shall be a Department of Public Works, under the management of three Commissioners, who shall constitute the Board of Public Works. The Commissioners shall consist of the Mayor, City Attorney, and City Engineer. The Mayor shall receive no compensation for services rendered as such Commissioner. The City Attorney and City Engineer shall receive, in addition to their respective salaries, a yearly salary of six hundred dollars each, as compensation for their services as members of the Board of Public Works. This amendment herein proposed shall be and shall be known and designated as amendment number one to the charter of the City of Oakland, State of California.

That section seven of article two of said charter be amended so as to read as follows:

SEC. 7. General municipal elections shall be held biennially, on the second Monday in March, commencing with the second Monday in March next after the adoption of this amendment. At each such general municipal election there shall be elected a Mayor, who shall be ex officio a Commissioner of Public Works, eleven members of the Council, eleven members of the Board of Education, an Auditor, who shall be ex officio Assessor, a Treasurer, who shall be ex officio Tax Collector, a City Attorney, who shall be ex officio a Commissioner of Public Works, a City Engineer, who shall be ex officio a Commissioner of Public Works. This amendment herein proposed shall be and shall be known and designated as amendment number two to the charter of the City of Oakland, State of California.

That section forty-six of article five be amended so as to read as follows:

SEC. 46. The City Attorney shall be an attorney and counselor-at-law duly admitted to practice by the Supreme Court of this State, and shall have been actually engaged in the practice of his profession for at least five years previous to his election. It shall be his duty to attend to all suits and other matters in which the city may be legally interested; to give his advice or opinion in writing whenever required by the Mayor, Council, Board of Education, Board of Public Works, Auditor, City Clerk, or Treasurer; and to do and perform all such other things touching his office as may be required of him by the Mayor, Council, Board of Education, or Board of Public Works. He shall draft and approve all official or other bonds required by this charter, or by ordinance, resolution, motion, or order of the Council, Board of Education, or Board of Public Works, save and except his own bond. His bond shall be drafted and approved by the Mayor. This amendment herein proposed shall be and shall be known and designated as amendment number three to the charter of the City of Oakland, State of California.

That section seventy-two of article six be amended so as to read as follows:

SEC. 72. The City Engineer shall perform all civil engineering and surveying required in the prosecution of the public works and improvements done under the direction of the Board of Public Works, and shall certify to the progress and completion of the same, and do such other work pertaining to his profession as he may be directed to do by the Board of Public Works or the City Council, or by any general law of the State of California. He shall possess the same power in the city in making surveys, plats, and certificates as is or may be from time to time given by law to the County Surveyor, and his official acts, and all plats, surveys, and certificates made by him, shall have the same validity and be of the same force and effect as are and may be given by law to those of the County Surveyor. With the consent and approval of the Board of Public Works, the City Engineer may appoint such deputies as the duties of his office may require, the number of such deputies, however, not to exceed the number that may be fixed from time to time by the Council. This amendment herein proposed shall be and shall be known and designated as amendment number four to the charter of the City of Oakland, State of California.

And whereas, said proposed amendments were published in a daily newspaper of general circulation in said city, to wit: the "Oakland Times," for more than twenty days; and whereas, said amendments were submitted by the legislative authority of said city, to wit: the City Council thereof, to the qualified electors of said city, at a special election previously duly called and thereafter held therein (at least sixty days after the publication of said proposals for twenty days in a daily newspaper of general circulation in said City of Oakland, to wit: in the "Oakland Times"), on the twenty-sixth day of January, eighteen hundred and ninety-five; and whereas, at such special election three fifths of such qualified electors of said city voting at such special election, did vote in favor of and did ratify each one and all of said amendments so proposed, and the same are now submitted to the Legislature of the State of California for approval or rejection as a whole.

Now, therefore, be it resolved by the Senate of the State of California, the Assembly thereof concurring. A majority of all the members elected to each house voting for and concurring herein, that the said amendments to the charter of the City of Oakland be and the same are hereby approved as a whole.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gleeves, Holloway, Hoyt, Linder, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Withington—27.
NOES—None.

On motion of Senator Earl, Senate Concurrent Resolution No. 4 was ordered immediately transmitted to the Assembly.

FIRST SPECIAL ORDER.

The hour of three o'clock P. M. having arrived, the President pro tem. announced the special order set for this hour, namely, the consideration of the following resolution:

Resolved, That a sub-committee of three from the Senate Committee on Public Buildings other than Prison Buildings be granted leave of absence for the purpose of visiting the State institutions in Southern California, in connection with the work of the committee.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Seawell, Shine, Shippee, Simpson, Smith, Toner, and Withington—25.

NOES—Senators Burke and Seymour—2.

SECOND SPECIAL ORDER.

Consideration of the following report and resolution:

SENATE CHAMBER, SACRAMENTO, January 25, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred the following resolution by Senator Biggy:

Resolved, That the Attorney-General be and he is hereby requested to prepare at once for submission to the Senate, a bill providing for the appointment of a non-partisan commission, with ample power to investigate all violation of law by public officers, in any department of State, and of county or municipal governments, including the misconduct of the police of San Francisco; and also to investigate frauds upon, and violation of, the election laws committed at the last general election, with ample powers to compel the attendance of witnesses, with papers, take testimony, and punish for contempt; said commission to pursue its investigations during the session of the Legislature, and subsequently, if necessary, and to report the result of their investigations to the Governor, and to the next session of the Legislature.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SIMPSON, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Pedlar, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—26.

NOES—None.

THIRD SPECIAL ORDER.

Consideration of resolution appointing special committee on election frauds.

On motion of Senator McGowan the consideration of the above special order was passed on account of the absence of the author, Senator Orr.

COMMUNICATIONS.

The following communications were presented, and ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: We, the undersigned, who voted against the McGowan substitute for Assembly Joint Resolution No. 2, submit our reasons therefor:

First—It is to the best interests of the State of California that the bill known as the Reilly Refunding Bill should be defeated in the Congress of the United States. The people of the State of California have declared against the passage of said bill, and as their representatives we feel that Congress should be informed directly, decisively, and succinctly that the passage of said bill would be against the best interests and welfare of the people of this State.

Second—We believe that if the indebtedness due from the Central Pacific Railroad Company to the State of California is not promptly paid, that the Government should commence proceedings at once to collect the amount due, and pursue the assets of said corporation into all the companies which have been organized for the purpose of pro-

moting the construction of said road, and have received large profits for such work, and also should be collected from the assets of the estates or the property standing in the name of any of the Directors of said corporation.

Third—We believe that the resolution directing the Secretary of this body to telegraph the passage of the resolution to our Representatives in Congress is a discourtesy to the Assembly and that the passage of the substitute by the Senate will engender differences between the two houses of the Legislature of the State of California, and tend to repress the wish of the people upon this question.

Fourth—We think that the best way to secure an authoritative judgment of the Legislature is to pass Assembly Concurrent Resolution No. 2. We do solemnly aver that we are in favor of a resolution, coming from whatever source it may, that fitly expresses the opinion of the people of the State of California upon that subject.

J. H. SEAWELL.
JOHN R. MATHEWS.
WM. J. BIGGY.
BART BURKE.
B. F. LANGFORD.
ELLIOTT McALLISTER.
JOHN FAY.
L. A. WHITEHURST.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: In explanation of our vote on the substitute offered by the Senator from Humboldt, for Substitute for Assembly Joint Resolution No. 2, we desire to say we are opposed to said substitute:

1. Because it does not in a concise and direct manner express the sentiment of the people of the State of California upon the questions involved.

2. Because said substitute cannot, if passed by the Senate, be fairly considered by the Assembly and transmitted to Washington in time to reach Congress before a vote is had upon the Reilly Refunding Bill, and the united expression of both branches of the Legislature is certainly desirable upon a matter of such import.

3. We vote "no" on the resolution to telegraph to Washington at once the substitute adopted, because such action is flagrantly disrespectful to the Assembly, is entirely unusual, and tends to weaken the force of the expressed sentiment of the people of California in their opposition to the Reilly Refunding Bill, and all similar bills, in which opposition we heartily concur.

WITHINGTON.
PEDLAR.

EXPLANATION.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: In explanation of my position as to the resolution before the Senate, presented by the Senator from Humboldt, I wish to say that I prefer at this time to vote for a simpler declaration against the Reilly and such funding bills. I will later in the day, if afforded an opportunity, present a resolution which, if adopted by the Legislature, will, in my judgment, more nearly express the people's will in this matter. I therefore ask to be excused from voting on the motion of the Senator from Humboldt.

EARL.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 45—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, powers, and duties of receivers.

Read first time.

Senate Bill No. 52—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act, relating to debtors discharged.

Read first time.

Senate Bill No. 54—An Act to amend an Act of the Legislature of

the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of the Court to be made, and the proceedings to be had, upon the filing of petitions in insolvency.

Read first time.

Senate Bill No. 106—An Act authorizing and requiring Boards or Commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Read first time.

Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read first time.

Senate Bill No. 33—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time.

Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time.

Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding-houses, and lodging-houses.

Read first time.

Senate Bill No. 320—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section sixty of said Civil Code.

Read first time.

Senate Bill No. 306—An Act to amend section one thousand and ninety-eight of the Penal Code of California, in relation to the trial of criminal cases either separately or jointly, in the discretion of the Court.

Read first time.

Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Read first time.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read first time.

Senate Bill No. 69—An Act to pay the claim of William G. Hall.

Read first time.

Senate Bill No. 64—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time.

Senate Bill No. 65—An Act to amend section four hundred and sixty-

one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time.

Senate Bill No. 177—An Act to amend chapter two, part four, title fourteen of the Civil Code by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Read first time.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read first time.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read first time.

Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than one thousand five hundred.

Read first time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

ADJOURNMENT.

At three o'clock and twenty-five minutes P. M. the Senate, on motion of Senator McGowan, was declared adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 30, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

QUESTION OF PRIVILEGE.

Senator Mathews arose to a question of privilege, and read from the "Record-Union" an article referring to his position on what is known as the "Scalper's Bill." The Senator said that the paper misstated his position on said bill; that the article was not truthful, and did him an injustice.

CORRECTION OF JOURNAL.

Senator McGowan moved that the Journal of yesterday be corrected to read on page seven, in report of Judiciary Committee, in second line, after the reference to Senate Bill No. 342, that "they do not pass," instead of "they do pass."

So ordered.

MEMORIAL.

Senator Flint presented the following memorial, and the same was ordered spread on the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution, appointed for the good of man by the divine Lawgiver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Signed: W. Dennett, W. J. Urnes, R. W. Logan, R. C. Gury, Geo. Austin, A. Conden, H. M. Campbell, L. Hutz, G. S. Nash, C. N. Hawkins, W. S. Frost, H. N. Taylor, John Neilsen, A. J. McKay, T. L. Baldwin.

PETITION.

Senator McAllister presented the following petition, and asked that it be spread upon the Journal.

So ordered.

To the honorable the Legislature, State of California:

GENTLEMEN: We, the undersigned citizens, barbers by profession, residents of San José, respectfully petition your honorable body to enact a law which will bring about a uniform system to close up barber shops, and bath houses where such are attached to barber shops, on Sundays and all legal holidays, at the hour of twelve o'clock M., and providing for a fine of not less than twenty-five dollars for the violation of such law. We deem the passage of such a law a benefit to all the members in our profession, and that the time allowed fully meets the wants of the public and secures to us a half day of each week for rest and recreation. And your petitioners would ever pray.

Respectfully, W. F. Cosgrove, San José; H. D. Becker, San José; Joseph Isola, San José; Thos. Moore, San José; J. L. Kasper, San José; Nat Demartini, San José; R. S. Nixon, San José; F. G. Baum, San José; H. E. Drew, San José; Louis Hahn, San José; E. Evans, San José; P. A. Bernal, San José; A. Munoz, San José; H. Mesa, San José; John Adair, San José; George Meisel, 75 West Santa Clara Street, San José; Herman Ulrich, 75 West Santa Clara Street, San José; Carl J. Fisher, 75 West Santa Clara Street, San José; Guy B. Charles, 75 West Santa Clara Street, San José; R. Schmidt, 86 West Santa Clara Street, San José; Wm. Armour, 86 West Santa Clara Street, San José; Jim O. Neil, 86 West Santa Clara Street, San José; L. G. Le Feuvre, 75 East San Fernando Street, San José; V. Perrino, 75 East San Fernando Street, San José; E. L. Moak, 75 East San Fernando Street, San José; W. G. Pyne, 171 South First Street, San José; J. J. Cairns, 75 West Santa Clara Street, San José.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Joint Resolution No. 2—Relative to the free coinage of silver—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOORHEIS, Chairman.

Senate Joint Resolution No. 2 ordered on file.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 4—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back with the recommendation that it be sent to the Finance Committee.

FRANCK, Chairman.

Senate Bills Nos. 36 and 4 re-referred to Committee on Finance.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 90, relating to the enfranchisement of women—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Judiciary Committee, for the purpose of settling all legal questions involved.

ARAM, Chairman.

Senate Bill No. 90 referred to Committee on Judiciary.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 5—Relative to requesting Congress to enact a law limiting or prohibiting foreign immigration—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended by the committee.

Also: Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Also: Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Also: Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Joint Resolution No. 8—Relative to the ceding of Goat Island to the State of California for railroad terminal purposes—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended by your committee.

BEARD, Chairman.

Senate Joint Resolutions Nos. 5, 6, 7, 11, and 8 ordered on file.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 201—An Act to provide against the adulteration of food and drugs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

Senate Bill No. 201 ordered on file.

RESOLUTION—(OUT OF ORDER).

By Senator Withington:

Resolved, That the Committee on Public Buildings other than Prison Buildings be given leave, while visiting Southern California, to visit the county of San Diego to inspect such sites and buildings as may be offered by the citizens of said county for a proposed Normal School within said county.

Adopted.

LEAVE OF ABSENCE.

At eleven o'clock and thirty minutes A. M., Senator Androus asked leave of absence for one hour for the Committee on Public Buildings other than Prison Buildings.

Granted.

Senators Seawell and Voorheis were also granted leave of absence for the same time, to attend a meeting of above-named committee.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 123—An Act to amend section six hundred and thirty-three and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Also: Senate Bill No. 216—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand

eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Also: Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Also: Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered three thousand and thirty-six, to the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 307—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health of the City and County of San Francisco," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

Senate Bills Nos. 123, 239, 216, 174, 467, 117, and 307 ordered on file.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate bills have been correctly engrossed:

Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings, in cities, and cities and counties, of one hundred thousand inhabitants and over," approved March 12, 1885.

Also: Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Also: Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Also: Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Also: Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Also: Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Also: Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Also: Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Also: Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Also: Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Also: Senate Joint Resolution No. 1—Joint resolution relating to the passage of H. R. No. 119, Fifty-third Congress, in the Senate of the United States—have had the same under consideration, and respectfully report the same as correctly enrolled, and have this day delivered the same to the Governor.

SMITH, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 501—An Act making an appropriation to pay the rent of office for the Commissioners of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Referred to Committee on Finance.

Also: Senate Bill No. 502—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Referred to Committee on Finance.

Also: Senate Bill No. 503—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Referred to Committee on Finance.

By Senator Gleaves: Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Referred to Committee on Finance.

Also (by request): Senate Bill No. 505—An Act to appropriate one thousand seven hundred and fifteen dollars for the redemption of swamp land certificates two thousand and ninety-seven, three thousand three hundred and seventy, three thousand three hundred and sixty-nine, four thousand six hundred and fifty-one, eleven thousand and sixty-seven, and five thousand seven hundred and twenty-three.

Referred to Committee on Finance.

By Senator Ford: Senate Bill No. 506—An Act to amend chapter nine, part two, title four, of the Penal Code, by adding thereto a new section, to be numbered ten hundred and fifty-three, relating to postponement of trials of criminal actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 507—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section seven hundred and fifty.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Referred to Committee on Retrenchment and Public Expenditures.

Also: Senate Bill No. 509—An Act entitled an Act to prevent deception in the sale of cheese.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 510—An Act prohibiting the use of barbed wire fence in public lands, streets, alleys, roads, or highways.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Androus: Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization,

incorporation, and government of municipal corporations." approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Earl: Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized, and directed to be made, and to provide for the expenditure of the same.

Referred to Committee on Finance.

By Senator Flint: Senate Bill No. 513—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Referred to Committee on Judiciary.

By Senator Henderson: Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Referred to Committee on Judiciary.

Also: Senate Bill No. 515—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections, numbered fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as Fee Clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 516—An Act prohibiting the burial of the dead within the corporate limits of an incorporated city, or city and county, of over one hundred thousand inhabitants, from and after the first day of January, 1900.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 517—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Referred to Committee on Claims.

By Senator Bert: Senate Bill No. 518—An Act providing for the sale of salt marsh and tide lands capable of reclamation for agricultural purposes.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Gesford: Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Referred to Committee on City, City and County, and Town Governments.

By Senator Hart: Senate Bill No. 520—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith.

Referred to Committee on Claims.

By Senator Linder: Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 524—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, relating to stock and stockholders of corporations.

Referred to Committee on Corporations.

By Senator Dunn: Senate Bill No. 525—An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines.

Referred to Committee on Judiciary.

Also: Senate Bill No. 526—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Referred to Committee on Judiciary.

By Senator Beard (by request): Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also (by request): Senate Bill No. 528—An Act to amend subdivision four of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on City, City and County, and Town Governments.

By Senator Pedlar: Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—THIRD READING OF BILL.

Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read third time, and finally passed by the following vote:

AYES—Senators Beard, Burke, Dunn, Earl, Fay, Flint, Ford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Orr, Pedlar, Seymour, Simpson, Smith, Whitehurst, and Withington—23.
NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Committee amendment, as follows:

Amend section two, line one, printed bill, by striking out all after words "day of," and inserting "January, 1896."

Amendment adopted.

Read second time, ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 120—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors-at-law to practice in the Courts of record.

Passed on file, by request of Senator McGowan.

MOTIONS.

Senator McGowan moved that the Senate substitute for Substitute for Assembly Joint Resolution No. 2 and Senate Joint Resolution No. 3, relative to the Reilly Funding Bill, be ordered printed.

So ordered.

Senator Earl moved that Assembly messages be now taken up.

So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 4, approving four certain amendments to the charter of the City of Oakland.

S. J. DUCKWORTH, Chief Clerk.

Senate Concurrent Resolution No. 4 ordered to enrollment.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Lander, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Snipson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, laid on the table "Substitute for Assembly Joint Resolution No. 2 and Senate Joint Resolution No. 3," relative to the Reilly Funding Bill.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 368 and 286 ordered to enrollment.

MOTIONS.

Senator Hart moved that Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento—be re-referred to the Committee on Judiciary, and that it retain its place on file.

So ordered.

Senator Withington moved that Assembly messages be now taken up out of order.

So ordered.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Concurrent Resolution No. 7, relative to the Reilly Funding Bill.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Withington moved that the Senate concur in Assembly Concurrent Resolution No. 7.

Senator McGowan moved to amend Assembly Concurrent Resolution No. 7 as follows:

Insert after the word "effect" and before the word "and," the following: "That the Congress of the United States in the adjustment of this question consider in a practical way the equitable rights of the people of the State of California who have contributed to the support of said roads, to the use and operation of said roads, for the use and benefit of the people."

The roll was ordered called, and the amendment lost by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Ford, Hart, Henderson, Hoyt, Mahoney, McGowan, Mitchell, Orr, Seymour, Shine, and Toner—17.

NOES—Senators Beard, Biggy, Burke, Earl, Fay, Flint, Franck, Gesford, Gleaves, Holloway, Linder, Martin, Mathews, McAllister, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—22.

The question recurring on the adoption of Assembly Concurrent Resolution No. 7.

The roll was called, and Assembly Concurrent Resolution No. 7 concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Arms: Senate Bill No. 530—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Referred to Committee on Judiciary.

Also: Senate Bill No. 531—An Act to reform the Police Court of the City and County of San Francisco, State of California, and regulate the procedure thereof.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 532—An Act to amend sections one thousand five hundred and fifty-one, one thousand five hundred and seventy-six, one thousand six hundred and seventeen, one thousand six hundred and sixty-nine, one thousand seven hundred and seventy, one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code, relating to the public schools.

Referred to Committee on Education and Public Morals.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 194—An Act to appropriate money for the erection

and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Lone, Amador County, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 121—An Act to appropriate the surplus moneys in the Special Mendocino Asylum Fund in the State Treasury to the uses of the Mendocino Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Lone, California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 481—An Act to regulate the practice of architecture—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 129—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum's buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and cow barn; to construct a dam to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ANDROUS, Chairman.

Senate Bills Nos. 194, 121, 193, 43, and 129 re-referred to Committee on Finance.

Senate Bill No. 481 ordered on file.

GENERAL FILE—SECOND READING OF BILLS.

Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Committee amendment, as follows:

Amend by inserting at beginning of line seven, printed bill, the following: "Section 2."

Adopted.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Committee amendment, as follows:

Strike out lines three to nine, inclusive, printed bill, and insert in lieu thereof the following:

SECTION 737. The annual salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte,

Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Marin, Mendocino, Tehama, San Bernardino, Kern, Placer, Humboldt, Tulare, Fresno, and Solano, are four thousand dollars each; and of the Judges of the Superior Courts of Amador, Calaveras, Stanislaus, and El Dorado, three thousand five hundred dollars per annum; the Judge of the Superior Court of the county of Napa, two thousand five hundred dollars per annum, and the Judge of the Superior Court of the county of Alpine, the sum of two thousand dollars per annum; one half of which shall be paid by the State, and the other half thereof by the county for which the Judge is elected or appointed, except that in the counties of Yuba and Sutter, one fourth of the salary of the Superior Judge shall be paid by each county.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto two sections, to be known as sections eighteen hundred and eighty-two and eighteen hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 207—An Act to regulate the sale of milk.

Committee amendments as follows were offered.

AMENDMENT No. 1.

Insert the words "be guilty of a misdemeanor and," after the word "shall," in line five of section one of the printed bill; also strike out the words "in the work houses," in line nine, section one, of the printed bill.

Adopted.

AMENDMENT No. 2.

Insert the words "guilty of a misdemeanor and be," after the word "be," in line four of section two of the printed bill.

Adopted.

AMENDMENT No. 3.

Insert the words "guilty of a misdemeanor and be," after the word "be," in line seven of section three of the printed bill.

Adopted.

AMENDMENT No. 4.

Strike out the word "twelve," in line two, section four, of the printed bill, and substitute the word "thirteen" therefor.

Adopted.

AMENDMENT No. 5.

Add the words "except during the period between the fifteenth day of March and the fifteenth day of May of each year, when milk containing less than twelve per cent of milk solids shall be deemed not of good standard quality," after the word "quality," in line four of section four of the printed bill.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 204—An Act to provide for the depositing of State and county funds in banks.

Passed, but to retain its place on file.

Hon. Tiley L. Ford, Senator from the Third District, in the chair.

Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Senator McAllister moved to amend as follows:

By striking out of last section, figure "6," and inserting the following: "7".

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 17—An Act to provide for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

ANDROUS, Chairman.

Senate Bill No. 17 re-referred to Committee on Finance.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 79—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of attorneys.

Passed, but to retain its place on file.

Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk as to the disbursement of money and property of estates.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Read second time, and ordered to engrossment and to a third reading.

ADJOURNMENT.

At three o'clock and fifteen minutes P. M., on motion of Senator Orr, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, January 31, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

CORRECTION OF JOURNAL.

Senator Voorheis moved that the Journal of yesterday be changed to read as follows: On page twelve, that Senate Bills Nos. 194, 121, 193, 43, and 129 be re-referred to Committee on Finance instead of being ordered on file.

So ordered.

Also: On page three, that Senate Bill No. 36 be re-referred to Committee on Finance instead of being ordered on file.

So ordered.

APPROVAL OF JOURNAL.

The Journal of Tuesday, January 29, 1895, was approved.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills as per vouchers:

SACRAMENTO, January 29, 1895.

State of California to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

Jan. 25—John Breuner, desks, tables, bookcase.....	\$491 00
Jan. 21—Tom Scott, gas fixtures.....	161 50
Mrs. A. Mains, washing.....	50
Wilson & Co., 2½ dozen towels.....	18 65
Total.....	\$671 65

That the Controller be and is hereby directed to draw his warrant in favor of the Sergeant-at-Arms of the Senate for the sum of six hundred and seventy-one dollars and sixty-five cents, and the Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mitchell, Seymour, Smith, Toner, Voorheis, and Withington—21.

NOES—Senators Fay and McAllister—2.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water, and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Also: Senate Bill No. 376 (as amended)—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOYT, Chairman.

Senate Bills Nos. 243 and 376 ordered on file.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: Senate Bill No. 12—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals, to do business in this State.

Also: Senate Bill No. 458—An Act to amend an Act entitled an Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight and adding two sections thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 10—An Act to prescribe conditions upon which certain insurance associations, known as Lloyds, may be admitted to transact insurance business in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 13—An Act to provide for investigations of fires by the insurance department, and to make provisions for the expenses of the same—have had the same under consideration, and respectfully report the same back without recommendation.

ORR, Chairman.

Senate Bills Nos. 11, 12, 458, 10, and 13 ordered on file.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 443—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven, of chapter seven of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893—respectfully submit the following amendments: First, in line three of the printed bill, between the words "street" and "Act," insert the word "work"; second, in line seventy-six of the printed bill, strike out the words "to the amount of fifty dollars or over"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

Senate Bills Nos. 443, 24, and 42 ordered on file.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 133—An Act to prohibit officers or employees of savings banks from holding any office in any national, commercial, or State bank, and to prohibit the location of any savings bank or its continuance in business in any building in which the business of a national, State, or commercial bank is conducted—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DENISON, Chairman.

Senate Bill No. 133 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 308—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Hospitals.

Also: Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Also: Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 352—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Numerous bills amendatory of the laws relating to insolvency—have had the same under consideration, and respectfully beg leave to report favorably the accompanying bill, as a substitute for Senate Bills Nos. 45, 52, 54, and 77, already on file. Your committee would also request that the usual number of the substitute bill be printed for the use of the Senate.

Also: Senate Bill No. 154—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage.

Also: Senate Bill No. 156—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Also: Senate Bill No. 157—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Senate Bill No. 158—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Also: Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a librarian for said Court, and fixing a salary," approved March 11, 1893.

Also: Senate Bill No. 380—An Act to amend section one thousand two hundred and sixty-three, by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 457—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also: Senate Bill No. 447—An Act to provide for the appointment of attorneys for foreign corporations on whom service can be made.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McGOWAN, Chairman.

Senate Bill No. 281 re-referred to Committee on Public Buildings other than Prison Buildings.

Senate Bill No. 308 re-referred to Committee on Hospitals.

Senate Bills Nos. 332, 460, 352, Substitute for Senate Bills Nos. 45, 52, 54, and 77, Senate Bills Nos. 154, 156, 157, 158, 356, 380, 457, and 447 ordered on file.

On motion of Senator McGowan, Substitute for Senate Bills Nos. 45, 52, 54, and 77 was ordered printed immediately.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said engineer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 128—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages,

set-off, or counter-claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than is herein provided, as a condition of employment; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOLLOWAY, Chairman.

Senate Bills Nos. 367 and 128 ordered on file.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 421—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and respectfully recommend the following amendments: First, in line nine of section one of the printed bill, strike out the word "Marshal." Second, at the end of line eleven of section one, insert the words "the Marshal shall be appointed by the Board of Trustees, and shall hold office during the pleasure of said Board." Third, in line twelve of section one, strike out the word "Marshal"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

Senate Bill No. 421 ordered on file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Also: Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations; and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Also: Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section two thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 14 referred to Committee on Judiciary.

Assembly Bill No. 26 ordered on file, without reference to committee, on motion of Senator Simpson.

Assembly Bills Nos. 27 and 11 referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three

new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DENISON, Chairman.

Senate Bill No. 290 ordered on file.

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Also: Senate Bill No. 60—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GLEAVES, Chairman.

Senate Bills Nos. 29 and 60 ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Seawell: Senate Bill No. 533—An Act to amend section one thousand six hundred and thirty-six of the Political Code of the State of California, relating to the duties of Census Marshals.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 534—An Act to amend section one thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to County Boards of Education.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 535—An Act establishing a Commission to revise and compile the laws of the State of California, and to re-codify the several codes thereof, and amendments thereto.

Referred to Committee on Judiciary.

Also: Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employes; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter-claims, or the absence of such employe at the time of making payment, and in case of such absence, the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

SUBSTITUTION.

On motion of Senator Seawell, Senate Bill No. 536 was ordered on file, without reference to a committee, to take the place of Senate Bill No. 128.

WITHDRAWAL.

Senator Seawell, by unanimous consent of the Senate, withdrew Senate Bill No. 128.

INTRODUCTION OF BILLS—(RESUMED).

By Senator Seawell: Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police, and police officers, in all municipal corporations of the third and fourth class in the State of California.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seymour: Senate Bill No. 538—An Act to pay the claim of George Miller for damage done by the storm water and sewerage of the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Claims.

Also (by request): Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Referred to Committee on Claims.

Also: Senate Bill No. 540—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 541—An Act to protect life and property from destruction by electric wires.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 542—An Act to amend section three thousand six hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the furnishing of the County Assessor with maps.

Referred to Committee on City, City and County, and Town Governments.

By Senator Voorheis: Senate Bill No. 543—An Act to afford greater security to passengers upon stage coaches, wagons, and other conveyances in or upon which express matter, gold or silver bullion, money, treasure, or other valuable thing or things in the custody or under the control of any express company, as a common carrier, is usually carried; relating to the duties of express companies, and prohibiting armed guards, agents, or messengers from riding in or upon stage coaches, wagons, and other conveyances engaged in carrying passengers for hire, and providing penalties for a violation of or failure to comply with the provisions of this Act.

Referred to Committee on Corporations.

Also: Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety, of the Penal Code of the State of California, relative to substitute jurors.

Referred to Committee on Judiciary.

By Senator Mitchell: Senate Bill No. 545—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Referred to Committee on Corporations.

By Senator Toner: Senate Bill No. 546—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to gas corporations.

Referred to Committee on Corporations.

By Senator Mahoney: Senate Bill No. 547—An Act to amend sections three hundred and seven and three hundred and twelve of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 548—An Act to amend sections three hundred and thirty-two and three hundred and forty-two of the Civil Code, relative to assessments, and the sale of the stock of corporations.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 549—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Franck (by request): Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Referred to Committee on Claims.

By Senator Shine: Senate Bill No. 551—An Act to prevent waste on mortgaged premises, and providing for the punishment for a violation thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 552—An Act providing for the incorporation of banking corporations, defining the same, and providing for the government, regulation, and control of all such corporations organized under the laws of this State, or of any other State, Territory, or foreign country, doing business within this State, and of all other corporations, companies, partnerships, firms, and individuals doing a banking business within this State.

Referred to Committee on Banks and Banking.

By Senator Hart: Senate Bill No. 553—An Act to appropriate money to aid in erecting a monument over the grave of the late Secretary of State, E. G. Waite, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Referred to Committee on Finance.

Also: Senate Bill No. 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of the State, but doing business therein, and providing for the disposition of such moneys.

Referred to Committee on Corporations.

COMMUNICATION.

SACRAMENTO, January 31, 1895.

Hon. THOMAS FLINT, JR., *President pro tem. of the Senate*:

SIR: In pursuance of resolution adopted by the honorable Senate on the twenty-ninth day of January, 1895, I have the honor to herewith transmit through you to the honorable Senate the accompanying bill.

Respectfully,

W. F. FITZGERALD, Attorney-General.

INTRODUCTION OF BILLS—(RESUMED).

By Senator Flint: Senate Bill No. 555—An Act to provide for a Commission to investigate public offices, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof, and to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance and misappropriation of public moneys, or public property, by such officers, employés, and attachés, and their official misconduct generally, and to investigate violations of the election laws.

Referred to Committee on Judiciary.

By Senator Beard (by request): Senate Bill No. 556—An Act to appropriate money for the purchase of the Coulterville and Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley.

Referred to Committee on Finance.

MEMORIAL.

Senator Beard presented a memorial of the Coulterville and Yosemite Turnpike Company, relating to subject-matter contained in Senate Bill No. 556, and asked that same be referred to Committee on Finance.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

On motion of Senator Orr, the regular order was passed, and the Senate proceeded to the consideration of bills on the first reading file.

FIRST READING OF BILLS.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 11—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Passed on file.

Senate Bill No. 265—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Read first time.

Senate Bill No. 84—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person.

Read first time.

Senate Bill No. 264—An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to

appropriate the sum of twenty-five hundred dollars therefor," approved March 10, 1891.

Read first time.

Senate Bill No. 181—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read first time.

Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Read first time.

Senate Bill No. 354—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section sixty-six thereof, relating to the residence of county officers.

Read first time.

Senate Bill No. 97—An Act to regulate the trial of actions for a divorce.

Read first time.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Hollo-way, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Smith, Voorheis, and Withington.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Also: Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an Act is to be done.

Also: Senate Joint Resolution No. 10—Relative to the improvement of the Sacramento and San Joaquin Rivers, and asking that each system be placed under contract, and that one million dollars be appropriated for each.

Also: Senate Concurrent Resolution No. 4—Relative to approving four certain amendments to the charter of the City of Oakland.

Also: Senate Joint Resolution No. 4—Relative to the boundaries of Yosemite National Park.

Have had the same under consideration, and respectfully report the same as correctly enrolled, and the same have this day been delivered to the Governor.

SMITH, Chairman.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 297—An Act to amend section three hundred and

thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Senate Bill No. 299—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Senate Bill No. 312—An Act entitled an Act to amend chapter one hundred and seventeen of the Penal Code, concerning vagrants.

Senate Bill No. 301—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Senate Bill No. 191—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Senate Bill No. 164—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice, and certified copies of records as evidence.

Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Senate Bill No. 49—An Act to amend section seventy-three of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Courts.

Senate Bill No. 142—An Act regulating and fixing the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling bags, bundles, packages, and their contents, and the personal property of guests, boarders and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code.

Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Senate Bill No. 362—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Senate Bill No. 300—An Act to amend section twelve hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead, and the value thereof.

Senate Bill No. 296—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Senate Bill No. 298—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Senate Bill No. 357—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Senate Bill No. 358—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Senate Bill No. 359—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Senate Bill No. 360—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Senate Bill No. 342—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Senate Bill No. 345—Amending section four thousand one hundred and twenty-one of the Political Code.

Senate Bill No. 217—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank, any deposit in such bank, when the same does not exceed the sum of five hundred dollars," approved February 18, 1874.

Senate Bill No. 347—An Act entitled "An Act to amend section two hundred and seventy-six of the Code of Civil Procedure," relating to the examination of applicants for admission to practice law.

Senate Bill No. 224—An Act to amend section one thousand two hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand two hundred and seventy-one, relative to devises of real property by last will.

Senate Bill No. 111—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Senate Bill No. 77—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had thereon; also by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also by amending section thirty-five of said Act, relating to insolvency proceedings by or against

partnerships and corporations; also by amending section forty-eight of said Act, relating to debtors' discharge; also by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also by amending section sixty-four of said Act, relating to contempts; also by amending section sixty-five of said Act, relating to preferred claims for costs; also by amending section sixty-seven of said Act, relating to appeals.

JOINT RESOLUTION.

By Senator Voorheis:

SENATE JOINT RESOLUTION No. 2.

Joint resolution relative to the free coinage of silver.

WHEREAS, We recognize constantly the indisputable fact that upon the continued development and working of the silver mines of California and other Pacific Coast States, the prosperity and progress of those States largely depend, and that in the depreciation of the value of that metal by refusing it a proper place in the coinage system of the United States, a vital blow is being struck at all the interests of the Pacific States; and whereas, it is also recognized as a fact that the opposition to silver coinage emanates from speculative syndicates and moneyed classes, who seek to embarrass the people of the nation for the advancement of their own selfish ends; and whereas, we entertain the firm belief that the full measure of national prosperity will never be restored by the issue of bonds, and do believe that the restoration of silver to its proper place will bring about lasting prosperity; and having unbounded faith in the power and ability of this nation to replace and maintain silver in its proper position alongside of gold; therefore,

Resolved, That our United States Senators be instructed and our Representatives in Congress requested to oppose every measure to debase silver as money, and to advocate and vote for the free and unlimited coinage of silver in the ratio of sixteen to one.

Upon the question of the adoption of the above Senate Joint Resolution, the roll was called, and Senate Joint Resolution No. 2 was adopted by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Seawell, Shine, Simpson, Smith, Toner, and Voorheis—23.

NOES—Senators McAllister and Withington—2.

GENERAL FILE—(RESUMED).

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of

San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Passed on file.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Senate Bill No. 123—An Act to amend section six hundred and thirty-three and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Senate Bill No. 216—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

Senate Bill No. 307—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health of the City and County of San Francisco," approved March 31, 1891.

Senate Bill No. 481—An Act to regulate the practice of architecture.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California.

Referred to Committee on Corporations.

By Senator Langford: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Referred to Committee on Claims.

MOTION.

On motion of Senator Voorheis, Assembly messages were taken up, out of order.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 1 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Also: Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Also: Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Also: Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Also: Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 4, 9, 35, 144, and 145 referred to Committee on Judiciary.

SPECIAL ORDER RESET.

The special order set for consideration at the hour of three o'clock P. M. this day, namely, resolution appointing special committee on election frauds, was, on motion of Senator Voorheis, reset as a special order for Wednesday next, immediately after the reading of the Journal.

LEAVE OF ABSENCE.

Senator Withington was granted leave of absence until Tuesday next, to visit the public institutions in Southern California.

MOTION.

Senator Simpson moved that the Senate proceed to consider Senate Bill No. 169, same being on third-reading file.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read third time.

On motion, Senate Bill No. 169 was referred to Senator Simpson, as a special committee of one, with instructions to amend as follows:

By inserting in section one, line six, after the word "corporation," the words "at the time of"; and by striking out the word "shorten" in line seven, and inserting in lieu thereof the word "fix"; and by adding after the word "municipality," in line eighteen of said section, the words: "*provided further*, that this Act shall not in any way affect any franchise or right of way granted before its passage."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 169, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of special committee of one adopted.

Senate Bill No. 169 was ordered printed as amended, reengrossed, and to retain its place on file for third reading.

ADJOURNMENT.

At two o'clock and fifty minutes P. M., on motion of Senator Denison, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 1, 1895. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Voorheis.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

APPROVAL OF JOURNAL.

The Journal of Wednesday, January 30, 1895, was approved.

MEMORIAL.

Senator Flint presented the following memorial, which was ordered printed in the Journal, and referred to Committee on Education and Public Morals:

To the California House of Representatives, 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Lawgiver, who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed): Rev. W. F. Stone, David Ulrey, W. L. Wentworth, F. H. Westlake, L. B. Ulrey, J. F. Harbolt, Adela H. Winckler, Mrs. F. H. Westlake, Mrs. W. L. Wentworth, Mrs. J. F. Harbolt, Miss Cena Skow, Miss Belle Masters, W. J. Davis, J. E. Choze, S. J. Sherman, Mrs. L. B. Ulrey, M. F. Granger, E. G. Reed, E. Wells Granger, M. A. King, W. A. Beebe, E. C. Walsh, Mrs. W. A. Beebe, G. A. Stanley, John A. Bene, Dan Harrington, Chas. R. Melander, E. A. Eaton, D. Ledbetter, I. M. Eaton, J. J. Long, W. C. Hamilton, Ad. Winkler, E. Newman, B. F. Norris, S. J. Rice, P. Narvay, Agnes W. Evans, Rachel V. Newman, Aaron Evans, C. F. Thompson, J. H. Leonard, H. S. Hall, L. M. Zoffman, C. S. Zoffman, T. Usher.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 1, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 461—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 370—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection and inquiry into, by said Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, Commissions, Boards, and officers, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof, by said Board of Examiners.

Also: Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Senate Bill No. 405—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back with an amendment to the enacting clause, and recommend that the bill do pass as amended.

Also: Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 474—An Act relating to the deposit of county funds—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Senate Bill No. 237—An Act making an appropriation to pay the deficiency in the appropriation for the State Forestry Stations for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 238—An Act appropriating money for the use of the two State Forestry Stations at Chico and at Santa Monica.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Agriculture, Horticulture, Viticulture, and Viticulture.

Also: Senate Bill No. 14—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric-light plant therein; to provide accommodations for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Also: Senate Bill No. 377—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter, for the years 1890, 1892, and 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Claims.

VOORHEIS, Chairman.

Senate Bills Nos. 461, 431, 370, 248, 291, 365, 366, 405, 88, 327, and 373 were ordered on file.

Senate Bill No. 474 re-referred to Committee on Judiciary.

Senate Bills Nos. 237 and 238 re-referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Senate Bills Nos. 14, 429, 473, and 377 re-referred to Committee on Public Buildings other than Prison Buildings.

Senate Bills Nos. 213 and 214 re-referred to Committee on State Prisons and Prison Buildings.

Senate Bills Nos. 6 and 134 re-referred to Committee on Claims.

RESOLUTION—(OUT OF ORDER).

By Senator Langford:

Resolved, That Senate Bill No. 373 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced Senator Seawell moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Voorheis.

The Secretary announced that Senator Linder was the only absentee without the permission of the Senate.

The President pro tem. directed the Sergeant-at-Arms to forthwith close the doors, and bring before the bar of the Senate the absentee.

The Sergeant-at-Arms appeared with the absentee, who, on motion of Senator Orr, was excused.

Senator McGowan moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

MOTION.

Senator Seawell moved that a new roll call be ordered on the adoption of the resolution.

So ordered.

The roll was called, and the resolution declaring Senate Bill No. 373 a case of urgency lost by the following vote:

AYES—Senators Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, and Voorheis—25.

NOES—Senators Martin and Toner—2.

MOTION.

Senator Langford moved that the further consideration of Senate Bill No. 373 be made a special order for Monday next, immediately after reading of Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 344—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 407—An Act to create and administer a School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

EARL, Chairman.

Senate Bill No. 344 ordered on file.

Senate Bill No. 407 re-referred to Committee on Judiciary.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 1, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred Senate Bill No. 254—An Act to provide for the purchase of a portrait of ex-Governor Markham by the Secretary of State, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

Senate Bill No. 254 re-referred to Committee on Finance.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 9—Proposing to amend section five of article two of the Constitution, relative to elections—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Senate Constitutional Amendment No. 8—Proposing to amend section five of article two of the Constitution, relative to the manner of voting—have had the same

under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Constitutional Amendment No. 3—Proposing to amend article thirteen, section one, of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Constitutional Amendment No. 16—Relative to exemptions from taxation—have had the same under consideration, and respectfully report back a committee substitute, and recommend that it be adopted.

HART, Chairman.

Senate Constitutional Amendments Nos. 9, 8, 3, and 16 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 1, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 5—An Act to amend section six hundred and two of the Penal Code.

Also: Senate Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of California, relating to setting apart property from a decedent's estate for the use of the family.

Also: Senate Bill No. 115—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health, and the Board of Health of the City and County of San Francisco," approved March 31, 1891.

Also: Senate Bill No. 135—An Act to amend section three thousand six hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the time and manner of assessing property.

Also: Senate Bill No. 144—An Act entitled an Act to provide for the inheriting of community property by married women upon the death of the husband.

Also: Senate Bill No. 159—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Also: Senate Bill No. 163—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Also: Senate Bill No. 165—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Also: Senate Bill No. 167—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the appointment of administrators.

Also: Senate Bill No. 168—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Also: Senate Bill No. 171—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Also: Senate Bill No. 172—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Also: Senate Bill No. 173—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Also: Senate Bill No. 178—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Also: Senate Bill No. 180—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability, founded upon an instrument in writing executed in this State.

Also: Senate Bill No. 185—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Also: Senate Bill No. 186—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 160—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 470—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money, and the issuance of bonds by railroad corporations.

Also: Senate Bill No. 53—An Act to amend sections three thousand four hundred and

forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 125—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to the qualifications of a Notary Public.

Also: Senate Bill No. 146—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Also: Senate Bill No. 179—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Also: Senate Bill No. 187—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 166—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Also: Senate Bill No. 210—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualification of Judges.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 102—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Irrigation and Water Rights.

Also: Senate Bill No. 149—An Act for the protection of miners, and repealing all Acts in conflict therewith—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Mines, Drainage, and Mining Debris.

McGOWAN, Chairman.

Senate Bills Nos. 5, 25, 115, 135, 144, 159, 163, 165, 167, 168, 171, 172, 173, 178, 180, 185, 186, 160, 470, 53, 59, 125, 146, 179, 187, 166, and 210 ordered on file.

Senate Bill No. 102 re-referred to Committee on Irrigation and Water Rights.

Senate Bill No. 149 re-referred to Committee on Mines, Drainage, and Mining Debris.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 469—An Act to amend section one hundred and forty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, said amended section relating to the duties of County Surveyors—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on County Government and Township Organization.

SIMPSON, Chairman.

Senate Bill No. 469 re-referred to Committee on County Government and Township Organization.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 1, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 2—Authorizing the payment of the claim of D. H. Wyckoff—have had the same under consideration, and respectfully report the same back, and recommend that the substi-

tute bill prepared by the committee be adopted in lieu thereof, and that the substitute do pass.

Also: Senate Bill No. 70—Appropriating money for the relief of Mrs. Sarah J. Wing.

Also: Senate Bill No. 162—To pay the claim of Edwin J. Card.

Also: Senate Bill No. 353—Appropriating three hundred dollars to pay the claim of A. L. Wood.

Also: Senate Bill No. 331—Making an appropriation for the payment of the claim of J. R. Broughton.

Also: Senate Bill No. 393—Making an appropriation to pay the claim of Alice Lampson Dodge, for services rendered by her assignors as members of the Constitutional Convention, during the years 1878 and 1879.

Also: Senate Bill No. 100—Providing for the relief of John J. Conlin.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FRANCK, Chairman.

Senate Bill No. 2 and committee substitute, and Senate Bills Nos. 70, 162, 353, 331, and 393 re-referred to Committee on Finance.

Senate Bill No. 100 ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows.

By Senator Seawell: Senate Bill No. 559—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Referred to Committee on Labor and Capital.

By Senator Aram: Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Flint (by request): Senate Bill No. 561—An Act to amend the Civil Code of the State of California by adding to part four, chapter one, division three, a new section, to be known as section one thousand seven hundred and forty-two, relating to contracts for the sale and future delivery of personal property.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 562—An Act to repeal an Act entitled "An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner," approved March 24, 1893.

Referred to Committee on Retrenchment and Public Expenditures.

Also: Senate Bill No. 563—An Act to provide for the better discovery for assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Referred to Committee on Judiciary.

Also: Senate Bill No. 564—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Referred to Committee on Corporations.

By Senator McAllister: Senate Bill No. 565—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12,

1872, by amending sections one thousand six hundred and seventeen, one thousand six hundred and sixty-two, and one thousand six hundred and sixty-three of said Code, and by adding two new sections to said Code, to be numbered and known as sections one thousand six hundred and seventy-four and one thousand seven hundred and five, relating to the establishment of kindergarten classes in primary schools.

Referred to Committee on Education and Public Morals.

By Senator Earl: Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to this State, upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Referred to Committee on Judiciary.

Also: Senate Bill No. 567—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Referred to Committee on Education and Public Morals.

By Senator Hoyt: Senate Bill No. 568—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, as Secretary, instructor, and silk expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Referred to Committee on Claims.

By Senator Franck: Senate Bill No. 569—An Act to amend section one thousand four hundred and eighty-nine of the Political Code, relating to State Normal Schools.

Referred to Committee on Education and Public Morals.

By Senator Hart: Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 571—An Act to create the Sacramento Valley Drainage District, and defining its boundaries, and to provide for the government and management thereof; for the appointment of officers, and prescribing their compensation; for the levy, equalization, and collection of assessments; for sale of property for non-payment of assessments; for appointment of Commissioners to fix assessments; for the construction and maintenance of canals, water ways, and other drainage works to drain the land of said district, and secure the same from overflow; conferring powers and imposing duties upon the Commissioner of Public Works in relation to said drainage district, and providing for the judicial examination of the organization of the district, and prescribing a statute of limitations.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator McGowan: Senate Bill No. 572—An Act to provide for the erection of a suspension bridge over the Klamath River, below tidewater, in Del Norte County, California.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

Also: Senate Bill No. 573—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to members of the Society of California Pioneers.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 574—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties, of this State, to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 575—An Act to amend section three thousand eight hundred and twenty of the Political Code of the State of California, and to add a new section thereto, to be numbered section three thousand eight hundred and thirty-one, relating to the duty of Assessors in the collection of revenues.

Referred to Committee on Judiciary.

Also: Senate Bill No. 576—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 577—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Referred to Committee on Judiciary.

Also: Senate Bill No. 578—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Referred to Committee on Judiciary.

By Senator Gleaves (for Senator Withington): Senate Bill No. 579—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending section one thousand seven hundred and four of said Act, relative to recording papers in probate proceedings.

Referred to Committee on Judiciary.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

By Senator Shine:

SENATE CONCURRENT RESOLUTION No. 5.

Resolved by the Senate, the Assembly concurring, That a temporary joint Commission be created for the purpose of considering legislation tending to the improvement of the highways of the State.

SECTION 1. Said Commission shall consist of six members, of which membership two shall be chosen from the membership of the Senate, and two from the membership of the Assembly, and shall be appointed by the presiding officers of the said houses of the Legislature.

SEC. 2. The two members from the Senate shall choose as a member of said Commission a civil engineer, who is familiar with the subject of highway improvement. The two members from the Assembly shall likewise choose as a member of said Commission a civil engineer, with like qualifications, and the two engineers so selected shall be members of the said Commission, with the same powers as the other members, and shall serve without compensation.

SEC. 3. The said Commission shall report to the Legislature the result of its investigations not later than the last Saturday of February, A. D. 1895.

MOTIONS.

Senator Shine moved the adoption of Senate Concurrent Resolution No. 5.

The resolution was read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, and Toner—24.

NOES—None.

On motion of Senator Seymour, Senate Concurrent Resolution No. 5 was ordered transmitted to the Assembly immediately.

RESOLUTION.

By Senator Orr:

Resolved, That when the Senate adjourns to-day, Friday, February 1, 1895, it shall adjourn to Monday, February 4, 1895, at two o'clock P. M.

Adopted.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 31, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 286.

JAMES H. BUDD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Also: Assembly Bill No. 449—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding a new section thereto.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 132 referred to Committee on Corporations.

Assembly Bill No. 449 ordered on file without reference to committee, on motion of Senator Orr.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Beard, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Voorheis.

Quorum present.

LEAVE OF ABSENCE.

Senator Hoyt was granted a leave of absence for the day, on motion of Senator Smith.

Senator Denison was granted a leave of absence for the day, on motion of Senator Voorheis.

Senator Gleaves was granted a leave of absence for one day, on motion of Senator Flint.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Holloway: Senate Bill No. 580—An Act declaring the Petaluma River navigable, and a public way, from and to certain points herein named.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

GENERAL FILE—THIRD READING OF BILLS.

On motion of Senator Orr, the regular order was passed, and the Senate proceeded to the consideration of bills on the first-reading file.

GENERAL FILE—FIRST READING OF BILLS.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 11—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Passed on file.

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Passed on file.

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Senate Bill No. 12—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State.

Senate Bill No. 458—An Act to amend an Act entitled an Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Senate Bill No. 10—An Act to prescribe conditions upon which certain insurance associations, known as Lloyds, may be admitted to transact insurance business in this State.

Senate Bill No. 13—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Senate Bill No. 443—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven of chapter seven, of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Senate Bill No. 133—An Act to prohibit officers or employés of savings banks from holding any office in any national, commercial, or State bank, and to prohibit the location of any savings bank or its continuance in business in any building in which the business of a national, State, or commercial bank is conducted.

Senate Bill No. 352—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Senate Bill No. 154—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage.

Senate Bill No. 156—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Senate Bill No. 157—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Senate Bill No. 158—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a librarian for said Court, and fixing a salary," approved March 11, 1893.

Senate Bill No. 380—An Act to amend section one thousand two hundred and sixty-three, by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom.

Senate Bill No. 457—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Senate Bill No. 447—An Act to provide for the appointment of attorneys for foreign corporations on whom service can be made.

Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer, to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineer.

Senate Bill No. 421—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work

and completing the same, under rights of way granted by municipal corporations; and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Senate Bill No. 60—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

RESOLUTION—(OUT OF ORDER).

By Senator Gleaves :

SACRAMENTO, February 1, 1895.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses report that, under and in pursuance of the action of the Senate, the following debts were contracted in visiting San Francisco:

Senator Gleaves	\$16 80
Senator McGowan	16 80
Senator Withington	16 80
Senator Mitchell	16 80
Senator Dunn	16 80
C. E. Abbott, Clerk to Committee	16 80

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. M. Gleaves, Chairman of the above committee, for the sum of one hundred dollars and eighty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

GLEAVES, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Orr moved that Assembly Bill No. 449 be taken up and read first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same

by the State," approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Read first time.

MOTION.

Senator Orr moved to substitute Assembly Bill No. 449 for Senate Bill No. 458, on file, the bills being identical.

So ordered.

WITHDRAWAL.

Senate Bill No. 458 withdrawn by Senator Orr, by unanimous consent.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Linder: Senate Bill No. 581—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail.

Referred to Committee on Education and Public Morals.

ADJOURNMENT.

At two o'clock and thirty minutes P. M., on motion of Senator Mahoney, the Senate adjourned until Monday, February 4, 1895, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, February 4, 1895. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Voorheis.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNALS.

The Journals of Thursday, January 31, 1895, and Friday, February 1, 1895, were approved.

MOTION.

Senator Langford moved that the special order set for this hour, namely, consideration of Senate Bill No. 373, be postponed and made a special order for Wednesday next, immediately after reading of Journal.

So ordered.

MEMORIALS.

Senator Flint presented the following memorials, which were ordered printed in the Journal and referred to Committee on Education and Public Morals:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Lawgiver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) James J. Culp, Cornelius A. Culp, J. W. Gruwell, J. D. Culp, E. H. Gruwell, W. J. Brown, W. J. Davenport, J. G. Warburton, E. Gibson, P. Brittingham, S. R. Jackson, Chas. McClure, O. C. Braden, A. Sargenfi, W. C. Doan, H. Surriver, Wm. Watson, and A. C. Ricker.

Also a second petition on same subject signed by: Joel Hawkins, Wm. F. Hawkins, S. Hawkins, A. Martin, D. J. Watson, A. J. Bryant, O. H. Dosh, J. A. Steinbeck, J. C. Dempsey, C. M. Lindsay, H. Slocum, W. L. Johnson, H. O. Edson, J. M. Jones, G. W. Foote, J. H. Garness, J. H. Frazell, F. L. Farnham, Frank J. Brooks, G. J. Jarvis, H. Luke Warburton, Chas. E. Snyder, E. M. Hills, M. W. Morse, W. Townsend.

PETITION.

Senator McAllister presented the following petition, and same was ordered printed in the Journal:

To the honorable the Legislature, State of California:

GENTLEMEN: We, the undersigned citizens, barbers by profession, residents of Oakland, respectfully petition your honorable body to enact a law which will bring about a uniform system to close up barber shops, and bath houses where such are attached to barber shops, on Sundays and all legal holidays, at the hour of twelve m., and providing for a fine of not less than twenty-five dollars for the violation of such law. We deem the passage of such a law a benefit to all the members of our profession, and that the time allowed fully meets the wants of the public and secures to us a half day of each week for rest and recreation. And your petitioners would ever pray.

J. M. Rose, 470 Thirteenth Street, Oakland; Henry Menges, 871 Washington Street, Oakland; Peter J. Nickolas, 956 Washington Street, Oakland; Frank Perry, 481 Eighth Street, Oakland; Fred Gatter, 856 Broadway, Oakland; Ben Aronson, 454 Eighth Street, Oakland; S. F. Payne, 924 Broadway, Oakland; W. H. Stewart, 964 Broadway, Oakland; Wm. G. Woods, 474 Tenth Street, Oakland; John Tisch, Fourteenth Street and Broadway, Oakland; F. R. Bravo, 470 Tenth Street, Oakland; Henry C. Kuester, 1010 Washington Street, Oakland; M. Fernandez, 354 Seventh Street, Oakland; J. Kirner, 1228 Broadway, Oakland.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 4, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly, thirty-first session—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

Assembly Bill No. 1 ordered on file.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 2, 1895.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Gleaves:

SACRAMENTO, February 1, 1895.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses report that, under and in pursuance of the action of the Senate, the following debts were contracted in visiting San Francisco:

Senator Gleaves.....	\$16 80
Senator McGowan.....	16 80
Senator Withington.....	16 80
Senator Mitchell.....	16 80
Senator Dunn.....	16 80
C. E. Abbott, Clerk to Committee.....	16 80

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. M. Gleaves, Chairman of the above committee, for the sum of one hundred dollars and eighty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, and Voorheis—23.

NOES—None.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Concurrent Resolution No. 5—Relative to creating a temporary Joint Commission for the purpose of considering legislation tending to the improvement of the highways of the State—and selected Assemblymen Swisler and Fassett as members thereof.

S. J. DUCKWORTH, Chief Clerk.

APPOINTMENT OF COMMITTEE.

The President pro tem. appointed Senators Shine and Smith as the committee in conformity with Senate Concurrent Resolution No. 5.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 4, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 207—An Act to regulate the sale of milk.

Also: Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Also: Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Also: Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Also: Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk as to the disbursement of money and property of estates.

Also: Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Also: Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Also: Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Also: Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Also: Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Also: Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Also: Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

SMITH, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Simpson: Senate Bill No. 582—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento, with steel record cases, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 583—An Act authorizing the Clerk of the Su-

preme Court to re-cover old records, and fitting proper store-room for same, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 584—An Act repealing an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Referred to Committee on Corporations.

Also: Senate Bill No. 585—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 586—An Act to amend section one hundred and ten of the Code of Civil Procedure, relating to terms of office of Justices.

Referred to Committee on Judiciary.

By Senator Denison: Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Referred to Committee on Hospitals.

By Senator Orr: Senate Bill No. 588—An Act to amend sections one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, and one thousand eight hundred and thirty of the Political Code, relating to the public schools.

Referred to Committee on Education and Public Morals.

By Senator Seymour: Senate Bill No. 589—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, two thousand and eighty-two, two thousand and ninety-four, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the

National Guard, and to provide for the retirement and disposition of certain officers thereof.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 590—An Act appropriating money to pay the claim of B. McMahon & Son.

Referred to Committee on Claims.

Also: Senate Bill No. 591—An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation," approved March 24, 1893.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same.

Referred to Committee on Retrenchment and Public Expenditures.

By Senator Linder: Senate Bill No. 593—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Referred to Committee on City, City and County, and Town Governments.

By Senator Hart: Senate Bill No. 594—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to semi-annual returns by the Public Administrator, so as to make the cost of publishing such returns a charge against the county.

Referred to Committee on Judiciary.

Also: Senate Bill No. 595—An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876.

Referred to Committee on Claims.

By Senator Seawell: Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 597—An Act to amend section four hundred and seven of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 598—An Act to amend section five hundred and twenty-six of the Code of Civil Procedure, relating to injunctions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 599—An Act to add a new section to the Civil Code of California, in relation to the remedial powers of Courts of justice, and the terms and conditions of which relief may be granted, to be known and numbered as section three thousand two hundred and seventy-six of said Civil Code.

Referred to Committee on Judiciary.

By Senator Denison: Senate Bill No. 600—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction in cities and towns, and cities and counties, having a population of three thousand

inhabitants or over, and to more effectually protect the people against contagious diseases.

Referred to Committee on Hospitals.

By Senator Simpson: Senate Bill No. 601—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893.

Referred to Committee on Hospitals.

MOTIONS.

Senator Voorheis moved that Senate Bills Nos. 57, 356, 69, and 367 be taken from the file and re-referred to Committee on Finance.

So ordered.

On motion of Senator Orr, the regular order was passed, and the Senate proceeded to the consideration of bills on the first-reading file.

GENERAL FILE.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 11—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Passed on file.

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution

of the State, amending section five of article two thereof, relative to the manner of voting.

Passed on file.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Passed on file.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed on file.

FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 461—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-fourth fiscal year.

Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Senate Bill No. 370—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, Commissions, Boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiatt, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, re-flooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Senate Bill No. 405—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Senate Bill No. 344—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools.

Senate Bill No. 5—An Act to amend section six hundred and two of the Penal Code.

Senate Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of California, relating to setting apart property from a decedent's estate for the use of the family.

Senate Bill No. 115—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health, and the Board of Health of the City and County of San Francisco," approved March 31, 1891.

Senate Bill No. 135—An Act to amend section three thousand six hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the time and manner of assessing property.

Senate Bill No. 144—An Act entitled an Act to provide for the inheriting of community property by married women upon the death of the husband.

Senate Bill No. 159—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Senate Bill No. 163—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Senate Bill No. 165—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Senate Bill No. 167—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the appointment of administrators.

Senate Bill No. 168—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Senate Bill No. 171—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Senate Bill No. 172—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Senate Bill No. 173—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Senate Bill No. 178—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Senate Bill No. 180—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability, founded upon an instrument in writing executed in this State.

Senate Bill No. 185—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Senate Bill No. 186—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of actions to recover real property.

Senate Bill No. 160—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Senate Bill No. 470—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money, and the issuance of bonds by railroad corporations.

Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Senate Bill No. 125—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to the qualifications of a Notary Public.

Senate Bill No. 146—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Senate Bill No. 179—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Senate Bill No. 187—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Senate Bill No. 166—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Senate Bill No. 210—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualification of Judges.

Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

MOTION.

Senator McAllister moved that Senate Bill No. 457 be taken up and read second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 457—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

During the second reading of the bill the following committee amendment was submitted:

In line forty-two, printed bill, after the word "of" insert the word "the."

Adopted.

Senator McAllister moved to amend by adding the following:

"Section 2. This Act shall take effect on and after its passage."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

By Senator McGowan:

SENATE CONCURRENT RESOLUTION No. 6.

Approving the charter of the City of Eureka, in the County of Humboldt, State of California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose in the City of Eureka, on the twenty-sixth day of January, 1895.

WHEREAS, The City of Eureka, in Humboldt County, State of California, is now, and at all the time hereinafter referred to was, a city containing a population of more than three thousand five hundred, and not more than ten thousand inhabitants; and whereas, at a general municipal election, duly held in said city on Monday, June eighteenth, eighteen hundred and ninety-four, in accordance with law and the provisions of section eight of article eleven of the Constitution of this State, a Board of fifteen Freeholders, duly qualified, was duly elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city, which said Board of fifteen Freeholders did, within ninety days next after such election, prepare and propose a charter for said city, which said charter was, on the fourteenth day of September, eighteen hundred and ninety-four, signed in duplicate by all of the members of said Board of Freeholders, and was, on said last named day, returned, one copy thereof to the Mayor of said city, and one copy thereof to the Recorder of the county of Humboldt, in which said city is situated; and whereas, such proposed charter was then published in a daily newspaper of general circulation in said city, to wit: the "Daily Humboldt Standard," for more than twenty days, such publication having commenced within twenty days after the completion of said proposed charter and the return thereof to the Mayor, as aforesaid; and whereas, said charter was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said city, to wit: by the Common Council thereof, to the qualified electors of said city, at a special election, previously duly called, and thereafter held in said city on January twenty-sixth, eighteen hundred and ninety-five; and whereas, the returns of said election were duly canvassed by said Common Council of the City of Eureka, at its meeting held on Monday, January twenty-eighth, eighteen hundred and ninety-five, and said Common Council found as the result of said canvass, and did duly determine and declare, that there were cast at said election ten hundred and eighty-eight votes, eleven thereof being rejected, and six hundred and forty-nine votes being in favor of the ratification of said charter, and four hundred and forty-eight votes and no more being against the ratification of said charter; and that said charter had been duly ratified and adopted by a majority of all the qualified electors of said city voting at such election; and whereas, at such election a majority of the qualified electors of said city voting thereat did vote in favor of and did ratify and adopt said charter; and whereas, said charter, as so ratified, is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the Constitution of said State. Said charter is in words and figures following, to wit:

CHARTER FOR THE CITY OF EUREKA.

ARTICLE I.

OF BOUNDARIES, RIGHTS, AND LIABILITIES.

SECTION 1. The municipal corporation now existing, known as the City of Eureka, shall remain and continue a body politic and corporate, under the name and style of the City of Eureka, and by that name shall have perpetual succession; and may have and use a common seal, alterable at pleasure; and may purchase, receive, hold, and enjoy real and personal property within or without its boundaries, and sell, convey, let, mortgage, and dispose of the same for the common benefit, and may determine and declare what are public uses, and when the necessity exists of condemning lands therefor, and what are the lands it is necessary to condemn; and may receive bequests, gifts, and donations of all kinds of property, wherever situate, in fee simple or in trust, for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts, and donations, with the power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust.

SEC. 2. The public buildings, lands, and property, all rights of property and rights of action, all money, revenues, and income belonging or appertaining to the City of Eureka, are hereby declared to be vested in said City of Eureka.

SEC. 3. The said City of Eureka shall continue to have, hold, use, and enjoy all public buildings belonging to the City of Eureka, and lands, wharves, waters, property, real and personal, rights of property, rights of action, suits, actions, moneys, revenues, income, books, documents, records, archives, claims, demands, and things in possession and action, of every nature and description, and shall be subject to all the obligations, debts, liabilities, dues, and duties of the existing municipality.

SEC. 4. Suits, actions, and proceedings may be brought in the name of the City of Eureka, for the recovery of any property, money, or thing belonging thereto, in law or equity, rights of, or contracts with, said City of Eureka, whether made, or existing or accruing before or after the adoption of this charter; and all existing suits, actions, and proceedings in the courts or elsewhere to which said city is a party, shall continue to be carried on by or against the said City of Eureka.

BOUNDARIES OF THE CITY.

SEC. 5. The boundaries of the City of Eureka are as follows: Commencing at the quarter-section post between sections thirty-five (35) and thirty-six (36), in township five (5) north of range one (1) west of Humboldt base and meridian, and running from thence north on the section line between sections thirty-five (35) and thirty-six (36), twenty-five (25) and twenty-six (26), and twenty-three (23) and twenty-four (24), in said township and range, to the ship channel in Humboldt Bay, as laid down on a map of the City of Eureka made by J. N. Lentell, and now on file in the office of the Recorder of Humboldt County, State of California, and which said channel is therein designated and called "Eureka Slough"; thence following the edge of said channel in a northerly, westerly, and southerly direction around Humboldt Bay towards the entrance thereto, to a point where a line running east and west through the center of section thirty-three (33), in said township and range, would intersect said ship channel; and thence running east on said line through the center of sections thirty-three (33), thirty-four (34), and thirty-five (35) in said township and range, to the place of beginning.

SEC. 6. The City of Eureka is hereby divided into five wards, numbered consecutively from one to five, inclusive, the respective boundaries of which shall be as follows, to wit:

All that portion of the city described as follows: Commencing at a point where the center of "A" Street if extended northerly, would intersect the city limits; running thence southerly along the center of said "A" Street, if extended, to the center of Fourth Street; thence easterly along the center of Fourth Street to the center of "F" Street; thence southerly along the center of said "F" Street to the center of Seventh Street; thence easterly along the center of said Seventh Street to the center of "J" Street; thence northerly along the center of said "J" Street to the city limits in Humboldt Bay; thence westerly along said city limits to the place of beginning, shall constitute the First Ward.

All that portion of the city described as follows: Commencing at a point where the center of "J" Street would intersect the city limits if extended northerly; thence southerly along the center of said "J" Street to the center of Seventh Street; thence easterly along the center of said Seventh Street to the center of Myrtle Avenue or Arcata Road; thence easterly along the center of said avenue or road to the city limits, as established by ordinance number one hundred and forty-one; thence north on the eastern boundary of said city to "Eureka Slough"; thence northwesterly and westerly along the city limits to the place of beginning, shall constitute the Second Ward.

All that portion of the city described as follows: Commencing on the south boundary of the city, as established by the said ordinance number one hundred and forty-one, at a point where the center of "F" Street intersects said boundary; thence northerly along the center of said "F" Street to the center of Seventh Street; thence easterly along the center of said Seventh Street to Myrtle Avenue or Arcata Road; thence east-

erly along the center of said avenue or road to the city limits as established by said ordinance number one hundred and forty-one; thence south on the eastern boundary of the city to the south boundary thereof; thence west along the south boundary line to the place of beginning, shall constitute the Third Ward.

All that portion of the city described as follows: Commencing at a point where the center of "A" Street, if extended northerly, would intersect the city limits; running from thence southerly, along the center of said "A" Street, if extended, to the center of Fourth Street; thence easterly along the center of said Fourth Street to the center of "F" Street; thence southerly along the center of said "F" Street to the center of Thirteenth Street; thence westerly along the center of Thirteenth Street, if extended westerly, to its intersection with the center of Cedar Street; thence west along the center of said Cedar Street to the ship channel or city limits in Humboldt Bay; thence northerly and easterly along said ship channel or city limits to the place of beginning, shall constitute the Fourth Ward.

All that portion of the city which is not included in the First, Second, Third, and Fourth Wards shall constitute the Fifth Ward.

And the Council of said city shall have power by ordinance to fix, establish, and change the boundaries of said wards whenever it may deem it expedient.

ARTICLE II.

ELECTIONS.

SEC. 7. Elections to be held in said city for the purpose of electing officers of said city, and for all other purposes, are of two kinds:

First—General municipal elections.

Second—Special municipal elections.

SEC. 8. General municipal elections shall be held biennially on the third Monday in June, commencing with the third Monday in June, eighteen hundred and ninety-five. At each general election there shall be elected a Mayor, five members of the Council, Assessor, Treasurer, Tax Collector, Police Judge, City Attorney, City Clerk, City Engineer, Superintendent of Streets, five School Directors, and five Trustees of the Free Public Library.

SEC. 9. Special municipal elections for all purposes designated in this charter shall be held on the days as fixed by the Council therefor.

SEC. 10. All general and special municipal elections shall in all respects as nearly as may be, be held and conducted in accordance with the provisions of the laws of the State for the holding of general elections in effect at the time, and the Council shall make all the necessary arrangements for holding said elections in accordance therewith; and the canvass and the declaring of the result of all elections by the Council shall be in accordance with the provisions of said State laws.

SEC. 11. Special elections shall be held for the purpose of electing Assessor, Treasurer, Tax Collector, Police Judge, City Attorney, City Clerk, City Engineer, or Superintendent of Streets, in case of a vacancy occurring in any of the said offices, and for other purposes not especially provided for.

In the event of any such vacancy, such election shall be ordered and held without delay, provided that the Council shall, in all such cases, have power to fill such vacancy until an election can be held.

SEC. 12. The Council shall have power to submit to the electors of said city at any election any question required to be submitted by the Constitution, the law, this charter, or by ordinance; *provided*, that in case such question is required by said Constitution, law, charter, or ordinance to be submitted at a special or other particular kind of election, it shall be so submitted, and not otherwise.

SEC. 13. The Council of said city shall, by ordinance, order the holding of all elections. Such ordinance shall specify the objects and time of, and the place or places within the limits of each ward for the holding of such election, and the names of the Inspectors, Judges of Election, Clerks, and Ballot Clerks for each ward or precinct of each ward, as the case may be, who must be residents thereof, to conduct the holding of and make returns of such election.

Said ordinance shall be published in some daily newspaper printed and published in said city, for at least ten days prior to the time appointed for the holding of the election.

SEC. 14. Returns of all elections shall be made to the Council, who shall within ten days thereafter, either at a regular or special meeting, canvass the returns, and declare the result thereof, and order certificates of election to be issued by the City Clerk to the persons elected.

SEC. 15. The officers elected at a general municipal election shall, after they have qualified as provided in this charter, enter upon the discharge of the duties of the offices to which they have been elected, on the second Monday in July next succeeding their election, and shall hold their offices for the term of two years, and until their successors are elected and qualified; except School Directors as hereinafter provided for, and except in case of an election to fill a vacancy at a special election, in which case they shall, after qualifying as herein provided, enter at once upon the discharge of the duties of the office, and shall hold office for the remainder of the term, and until their successors shall have been elected and qualified.

Sec. 16. The present officers of the city shall hold, continue to hold, and exercise their respective offices until the second Monday in July, eighteen hundred and ninety-five, or until the election or appointment and qualification of the first officers to be elected or appointed under this charter, with the powers and duties vested in and imposed upon them by the charter and the ordinances of the city under which they were elected.

Sec. 17. In establishing election precincts the Council shall make them as geographically compact as possible, and so that no precinct shall have more than two hundred electors therein.

Sec. 18. Only such persons residing in the city whose names appear upon the Great Register of Humboldt County at the time of any municipal election shall be entitled to vote at such election; and to this end and extent, said Great Register is hereby adopted as the register of voters in and for the city. The Council shall cause the authenticated copies of such Great Register to be made and used at and for all municipal elections; *provided*, that in case a City Great Register is provided in pursuance of the provisions hereinafter contained, then such City Great Register shall be used instead of the Great Register of Humboldt County.

Sec. 19. The qualifications of an elector at any election held in said city in pursuance of this charter, shall be the same as those prescribed by the laws of this State for electors at any general State election, in force at the time of such election.

Sec. 20. It shall be the duty of the Council, at the time the Board of Supervisors of the county of Humboldt are preparing for the printing of Great Registers, to provide for the printing of a sufficient number of such Registers for the general and special municipal elections to be held or likely to be held in the City of Eureka.

Sec. 21. The certificates of election issued by the City Clerk must be authenticated with the seal of the city. No other authentication shall be necessary.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

Sec. 22. The legislative power of the City of Eureka shall be vested in a Council of five members, whose term of office shall be two years.

Sec. 23. One member of the Council shall be elected from each of the five wards of the city, and no person shall be eligible to the office of Councilman who has not resided in such city for one year, and in the ward from which he is selected at least six months next preceding his election, and if he fail to so continue a resident of such ward, his office shall, by reason thereof, become vacant; *provided*, that in case a re-districting or re-division of the city into wards be made, whereby the lines or boundaries of any wards are changed, the last provision in regard to residence shall not apply to any person whose residence has been changed thereby from the ward from which he was elected and in which he resided.

Sec. 24. Any vacancy occurring in the office of Councilman shall be filled by appointment by the Mayor, and the person so appointed by him shall possess the qualifications hereinbefore prescribed for members of the Council, and shall hold office until the election and qualification of his successor, which election shall take place at the next succeeding general municipal election.

Sec. 25. The Council shall meet in the City Hall of the city on the second Monday of July succeeding their election, and at such other times as may be designated by ordinance. If at any time a regular meeting falls on a holiday, such regular meeting shall be held on the following day. Special meetings may be called by the Mayor or three members of the Council. Three members of the Council shall constitute a quorum, and the affirmative vote of three members shall be necessary for the passage of an ordinance, or the final transaction of any business, but a less number than three may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the Council may by ordinance prescribe.

Sec. 26. The Council shall be the judge of the election, qualification, and return of its own members. It shall elect one of its members, who shall be styled the President of the Council, and who shall preside at all meetings of the Council during the absence of the Mayor, and shall, in case of the sickness or inability of the Mayor, or his absence from the city, act as the Mayor of the city. The Council shall establish rules for its proceedings. It shall have power to punish its members for disorderly conduct committed in its presence, and may expel any member for malfeasance in office by an affirmative vote of four of its members. It shall have the power to compel the attendance of witnesses, and the production of all papers relating to any business before that body, and may punish disobedience of its subpoena, or contemptuous or disorderly conduct, committed in its presence, by fine not exceeding fifty dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

Sec. 27. The President of the Council, the Chairman of each committee, and each and every elective officer shall have the power to administer oaths and affirmations relative to any business brought before the Council, or under consideration by its committees or their respective departments.

Sec. 28. The Council of said city shall not, without the assent of two thirds of the qualified electors of said city, voting at an election to be held for that purpose, contract any debts or liabilities by borrowing money, loaning the credit of the city, or otherwise,

which singly or in the aggregate shall at any time exceed the sum of ten thousand dollars. Any contract made in violation of the provisions of this section shall be void and of no effect.

SEC. 29. The meetings of the Council shall be held at the City Hall of the city; they shall be public, and a journal of its proceedings shall be kept by the City Clerk under its direction, and the ayes and noes shall be taken and entered in the journal in the final action upon the granting of franchises, making of contracts, the passage of any ordinance, ordering work to be done or supplies furnished, the ordering of assessments for street improvements or building of sewers, and in all other cases upon the call of any member.

SEC. 30. The enacting clause of all ordinances shall be in these words: "Be it ordained by the Council of the City of Eureka, as follows."

SEC. 31. No ordinance shall be amended by reference only to its title, but when any ordinance is amended, the section or sections thereof shall be reenacted at length as amended.

SEC. 32. Every ordinance shall embrace but one subject, which shall be clearly indicated in the title. In all cases where the subject is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

SEC. 33. No proposed ordinance shall be adopted except by vote taken by ayes and noes, and the names of the members voting for and against the same shall be entered in the minutes.

SEC. 34. When any bill is put upon its final passage and fails to pass, if a motion is made to reconsider, the vote upon such motion shall not be taken until the next regular meeting of the Council. No bill for the grant of any franchise shall be put on its final passage within thirty days after its introduction.

SEC. 35. No ordinance shall be passed except by bill. Every bill after it has passed the Council shall be signed by the President thereof, and every bill which shall have passed the Council and have been thus authenticated, shall be presented to the Mayor for his approval. The Mayor shall return such bill to the Council within ten days (Sundays excepted) after receiving it. If he approve it, he must sign it, and the same shall then become an ordinance; but if he shall disapprove it, he shall return it, with his objections, in writing, to the Council. If the bill is not returned with such approval or disapproval within the time specified, it shall take effect as if he had approved the same.

SEC. 36. When a bill is returned without the approval of the Mayor, the Council must cause the objections of the Mayor to be entered upon its journal and proceed to reconsider and vote on the same. If, after such consideration, the bill is again passed by an affirmative vote of not less than four members, it shall take effect as if the Mayor had approved the same. If the bill shall fail, on being so considered, to receive four affirmative votes, it shall then be finally lost. The vote shall be taken by ayes and noes, and the result shall be entered in the journal of the Council.

SEC. 37. All ordinances must be published in the manner prescribed by the Council.

SEC. 38. No ordinance passed by the Council shall take effect until ten days after its passage and approval, unless otherwise provided in the enactment.

SEC. 39. The Council shall have power by ordinance adopted at least one month prior to a general municipal election to unite and consolidate certain offices by declaring that:

1. The Assessor elected shall be ex officio Treasurer.
2. The City Clerk elected shall be ex officio Treasurer, or ex officio Treasurer and Assessor.
3. The City Clerk elected shall be ex officio Tax Collector or Assessor, or ex officio Tax Collector and Treasurer or Assessor.
4. The Tax Collector elected shall be ex officio Treasurer or Assessor.
5. The City Engineer elected shall be ex officio Superintendent of Streets.

SEC. 40. No contract for supplies, printing, advertising, stationery, maintenance of prisoners, fuel, street sprinkling, street repairs, or for lighting streets, public buildings, places, or offices, or for the supplying of water for the use of the municipality, in any of its departments, shall be made for a longer period than one year; nor shall any contract be made to pay for gas, electric lights, or any other illuminating material, nor for the supplying of water for the use of the municipality, in any of its departments, at a higher rate or rates than is charged to any other consumer.

SEC. 41. The Council shall, during the first year after its organization under this charter, cause all ordinances then in force to be classified under appropriate heads, and shall provide for the publication of the same in book form.

Every officer of the city shall be entitled to one copy of such ordinances, without charge, and every citizen applying for a copy shall be entitled to the same at the cost of publication. The Council shall, every three years after the publication as herein provided, cause all the ordinances at that time in force to be compiled, and shall publish the same subject to the terms and conditions herein expressed. All such publications shall contain the charter with any amendments made thereto.

SEC. 42. All contracts must be in writing, executed in the name of the city and by an officer authorized to make the same. The form and legality of all contracts shall be submitted to and passed upon by the City Attorney.

Every contract must be countersigned by the Finance Committee, numbered and registered in a book kept for that purpose.

SEC. 43. The Council shall have power to pass ordinances:

1. To establish or alter the grades of, and to open, lay out, alter, extend, close, straighten, widen, or otherwise improve or regulate streets, alleys, lanes, and sidewalks upon the same; determine the width of sidewalks and streets, and the grade of the same, and to provide for acceptance of the streets when constructed and completed in accordance with such regulations as the Council may adopt. Also to open, lay out, construct, alter, widen, extend, repair, and vacate walks, cross-walks, avenues, and thoroughfares in or over any plaza, park, or grounds belonging to or under the control of the city.
2. To regulate or prohibit traffic and sales in streets, highways, and public places; to prevent encroachment upon or obstructions to the same, and to require their removal.
3. To establish and maintain a pole line system in the city; to compel all telegraph, telephone, electric light, and other companies, corporations, firms, associations, or persons using wires to place and maintain their wires thereon, and to regulate the use and fix the rental thereof, and provide for the collection of the same from all corporations, companies, firms, associations, and persons using the same.
4. To regulate the erection of poles for or the laying of telegraph, telephone, and electric wires in and upon the public streets, or upon or over buildings; the erecting of gas and electric lights therein; the numbering of houses on the streets; the naming of the streets, avenues, public places, and thoroughfares; the use of the streets and sidewalks for sign-posts, awnings, awning posts, horse troughs, telegraph posts, telephone posts, electric light towers, electric light posts, and other purposes; the exhibition of banners, placards, or flags, in or across the streets or from houses or other buildings; public cries, advertising, ringing of bells, steam whistles, and other noises; and the use of the streets and public places for foot passengers, animals, vehicles, cars, and locomotives.
5. To establish a general and comprehensive system of sewers in the city, and to regulate the building and repairing thereof.
6. To provide for and regulate street pavements, cross-walks, curbstones, grades, gutters, sewers, and cleaning and watering of the streets.
7. To regulate dispensaries, hospitals, markets, and other public institutions.
8. To provide for the construction, maintenance, regulation, and repair of bridges, wharves, docks, piers, chutes, slips, ferries, and public places.
9. To fix, regulate, and collect tolls, wharfage, and dockage.
10. To regulate the running, moving, and anchorage of steamboats, vessels, rafts, and other water craft within the waters of the city, and to prevent obstructions to the free navigation of such waters.
11. To make regulations for preventing and extinguishing fires, establishing fire districts, and determining the character of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration, or repair of such buildings, or in the repair or alterations of existing buildings within such limits, and for restricting the height of buildings or structures.
12. To declare what shall constitute a nuisance, and to abate and remove the same.
13. To provide and maintain a morgue.
14. To provide for conducting elections, establishing or changing election precincts, and appointing the necessary election officers.
15. To try and remove from office appointees against whom charges have been preferred; and to remove without the preferring of charges any appointee at any time when in the judgment of the Council the public service will be promoted, improved, or benefited thereby.
16. To prohibit or suppress all houses of ill-fame, all occupations, houses, places of amusement, exhibitions, and practices which are against good morals, and contrary to public order and decency, or dangerous to the public safety.
17. To regulate or prohibit the sale, keeping, storage, and use of powder, fireworks, dynamite, nitro-glycerine, and other explosives or combustible material and substances, the places of their manufacture, storage, and their transportation.
18. To regulate the maintenance of acid works, slaughter houses, wash houses, laundries, tanneries, livery stables, offensive trades, and all other manufactories, works, and business of every description that may endanger the public safety, health, or comfort, and to restrict the prosecution thereof to such fixed limits as may seem proper, or to exclude such works and business from the city.
19. To regulate the keeping and use of animals; to prevent or regulate the running at large of any animals; to establish a pound; to authorize the impounding of any animals found running at large, and to authorize the sale, disposition, or destruction thereof.
20. To provide for the public printing, and to provide suitable rooms and buildings for the Courts, Boards, and officers of the city, and such furniture, fuel, lights, books, and stationery, and other supplies of any kind, as are or may be necessary for the convenient transaction of public business.
21. To regulate the construction, repair, and use of sewers, sinks, gutters, wells, cess-pools, and vaults; to compel the connecting, cleaning, or emptying of the same, and to designate the time and manner in which the work shall be done; to provide for the removal of all rubbish, garbage, refuse matter, and all material detrimental to the public health, and at such times as it will be best for the public good.

22. To prevent the throwing into any stream, creek, slough, bay, or any body of water, from vessels, wharves, or other places, any dirt, ballast, ashes, garbage, dead animals, or other materials that may obstruct the same or pollute the water thereof.

23. To regulate or prohibit the use of steam boilers, the location of telegraph, telephone, and electric light poles and wires, awnings, and the construction of entrances to cellars and basements from sidewalks.

24. To license hackney coaches, cabs, omnibuses, drays, carts, and other vehicles used for hire, and to regulate their stands and rates of fare, and to license or suppress runners for railroads, steamboats, taverns, or hotels.

25. To regulate the entrance to, and exit from theaters, lecture-rooms, public halls, churches, and public buildings of every kind, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, benches, or other obstacles in the halls, aisles, or open places therein.

26. To maintain and regulate a fire alarm, police telegraph, and police telephone.

27. To regulate and control the business of pawnbrokers, junk dealers, intelligence offices, and prescribe the mode of conducting the same.

28. To fix and determine annually the rates of compensation to be collected by any person, firm, company, or corporation in the city, for the use of water supplied to the city, or the inhabitants thereof, and to prescribe penalties for the violation of all ordinances passed in reference to matters contained in this subdivision.

29. To regulate the quality, capacity, and location of water and gas pipes, mains, and fire plugs, and to provide for and regulate the construction and repair of hydrants, fire plugs, cisterns, pumps, and such other appliances as may be requisite to utilize the distribution of water and gas in the streets, public places, and public buildings.

30. To regulate the speed and conduct of railroad trains and engines, and require railroad companies either to station flagmen, place gates, or viaducts, or place sufficient automatic warning signals and signal bells at all such streets as it may deem proper.

31. To regulate or prohibit the making up of railroad trains on any of its streets, and the stopping of trains on street crossings.

32. To grant franchises permitting any person, firm, corporation, or company to lay and maintain tracks, and to pass with steam railroads along, upon, and across, or elevated above, or placed below any streets of the city: *provided*, that the free use of said streets shall not be unnecessarily obstructed thereby; and such franchises shall be granted only after notice published for thirty days, and by ordinance passed by the vote of four members of the Council. Such grants shall be without prejudice to the rights of the owners of property to compensation for damages.

33. The grant of a franchise shall be a delegation of the right to condemn private property for public uses upon compensation being made therefor as provided by law.

34. To grant the right to construct, and to regulate and control the construction thereof, to railroad corporations and companies, of pipes, tubes, conduits, signal bells, warning signs, wires, and other electric, telegraph, telephone, and mechanical appliances, in, along, over, and across the streets; *provided*, that said appliances be so constructed as not to interfere with the free use of the sidewalks and streets.

35. To require every railroad company or corporation to keep the streets in repair between the tracks, and along and within the distance of two feet upon each side of the tracks occupied by the company or corporation.

36. To provide for lighting the streets, alleys, public buildings and public grounds, and to construct, purchase, lease, own, control, maintain, and operate a system of lighting by artificial gas, natural gas, electricity, or other means of illumination; *provided*, however, no such construction, lease, or purchase shall be made unless first authorized by a vote of two thirds of the electors voting at any general or special election at which the proposition may be submitted.

37. To keep, and, at such time or times as the Council of said city may deem the same necessary for use at municipal elections therein, to cause to be printed a register, in the manner and form as required by the provisions of chapter three of title two of the Political Code of the State of California, in which shall be entered the names of the qualified electors of the said city.

38. To require any lots or portions of lots within the city which may be covered with stagnant water a portion of the year to be filled up to such level or grade as will prevent the same from being so covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon.

39. To determine and impose fines, forfeitures, and penalties for the violation of any ordinance, or any of the provisions of this charter, and to appropriate the same.

40. To make all needful rules to govern the official conduct and duties of all officers of the city whose duties are not defined by this charter; to impose additional duties upon those whose duties are defined, and to fix and regulate the charges and fees of all such officers, where the charges, fees, and duties are not otherwise fixed, and to compel the payment of all such charges and fees into the City Treasury.

41. To make real estate in said city liable for the construction of sidewalks, crossings, and all other street improvements adjacent thereto, and provide for the forced sale thereof for such purposes.

42. To create, control, regulate, abolish, or prohibit cemeteries; to sell or lease lots in those created; to control and regulate interments within the city limits, and to provide for removing human remains from the city.

43. To provide and maintain a City Prison, and to provide for the care, custody, feeding, and clothing of city prisoners.

44. To provide for the proper employment upon any public work, or for the benefit of the city, of all persons convicted of crimes, vagrancy, or other misdemeanors.

45. To prevent and restrain any riot, or riotous assemblage, or disorderly conduct within said city.

46. To provide for supplying the city and its inhabitants with water, and to construct, purchase, lease, own, control, maintain, and operate its own water supply; *provided, however,* no such construction, purchase, or lease shall be made unless first authorized by a vote of two thirds of the electors voting at any general or special election at which the proposition may be submitted.

47. To regulate the sale and use of gas and electric lights, and fix and determine the price of gas and electric lights, and the rent of gas and electric light meters within the city, and regulate the inspection thereof; and to regulate telephone service, and the use of telephones within the city, and to fix and determine the charges for telephones and telephone service, and connections; and the removal and placing underground of any and all telegraphs, telephones, or electric wires, or upon the pole line established by the city.

48. To grant franchises for the construction of street railroads on and along the streets of the city; *provided*, that whenever application is made for such franchises the Council shall, by resolution, cause a notice of such application to be published for thirty days, and shall in said notice specify the route along which it is proposed to construct such road, and shall offer to grant the franchise to the persons, company, or corporation that shall agree to pay semi-annually the largest per centum of the gross receipts of such road, according to a verified statement of the same; *and provided further*, that in all grants of franchises for street railroads it shall be made a condition that single fares of such road shall not exceed five cents, and that only such rails be laid down as are of the most approved rail pattern for street railways operated by horses, mules, cables, or other motors. The Council may reject all bids, and may refuse to grant a franchise for the proposed route; and in case no bids are made, may, in their discretion, grant a franchise for such period as may be deemed expedient. Franchises for street railroads to be operated by horses or mules shall not exceed twenty-five years.

49. To require any land or buildings to be cleansed at the expense of the owner or occupant; and upon his default may do the work, and assess the expense upon the land or building, and provide that it shall be a lien thereon.

50. To provide for licensing any or all business not prohibited by law; to establish and regulate the issuing and granting of municipal licenses, and the collection of license taxes.

51. To establish a City Hospital, and to provide for its maintenance.

52. To provide and maintain all public buildings, parks, or squares, necessary or proper, for the use of the city, and to acquire lands therefor, and for other public uses.

53. To provide for the execution of all trusts confided to the city.

54. To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for State or county purposes.

55. To offer rewards, not exceeding five hundred dollars, for the arrest and conviction of any person or persons who may have committed a felony in said city.

56. To establish and maintain such poorhouses, industrial schools, houses of correction or reformation, workshops, homes for confirmed inebriates, and such other institutions as may be deemed proper, and to provide for the support, maintenance, and management of the same.

57. To regulate the custody, leasing, and sale of all the property of the municipality, and such lost, stolen, or unclaimed property as may be in the possession of the police or other officers of the city.

58. To regulate all parades, processions, and public assemblages upon the streets, and determine what parades, processions, and public assemblages thereon shall not be lawful, and to declare the same a nuisance.

59. To regulate and maintain a Fire Department; and to regulate and maintain a Police Department.

60. To make all ordinances, by-laws, rules, and regulations necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this charter or by general laws in said city.

61. To make and enforce all such local, police, sanitary, and other regulations as are not in conflict with general laws and provisions of this charter.

ARTICLE IV.

EXECUTIVE DEPARTMENT—OF THE MAYOR.

SEC. 44. The Mayor shall be the chief executive officer of the city. He shall be at least twenty-six years of age, and shall have been a citizen of the State and a resident and qualified elector of the city for the five years next preceding the day of his election.

SEC. 45. The Mayor is the presiding officer of the Council, must sign the journals thereof, decide by his vote all tie votes, and must sign the warrants on the City Treasurer.

SEC. 46. He shall vigilantly observe the official conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they may execute their duties and obligations, especially in the collection, administration, and disburse-

ment of the public funds and property; and the books, records, and official papers of all departments, boards, officers, and persons in the employ and service of the city shall at all times be open to his inspection and examination. He shall take special care to see that the books and records of the said departments, boards, officers, and persons are kept in legal and proper form; and any official defalcation or willful neglect of duty, or official misconduct which he may discover or which shall be reported to him shall be laid by him before the Council, City Attorney, or District Attorney of the county, in order that the public interests shall be protected, and the person in default be proceeded against according to law. He shall from time to time communicate to the Council, in writing, a statement of the affairs of the city, and shall recommend such measures connected with the public health, cleanliness, and ornament of the city, the improvement of the government and finances, and other matters, as he may deem proper or beneficial to its interests. He shall see that the laws of the State, the provisions of this charter, and the ordinances of the city are observed and enforced.

He shall appoint a competent person or persons, expert in matters of bookkeeping and accounts, to examine the books, records, condition, and affairs of every department, Board, or officer, at least once in every year, and enforce such examination. Any person refusing to submit to or permit such examination, or purposely delaying or impeding the same, may be suspended from office by the Mayor and removed for malfeasance in office. He shall have a general supervision over all the departments and public institutions of the city, and see that they are honestly, economically, and lawfully conducted. He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he is authorized and empowered to use and command the police force, and if such police force is insufficient, it shall be his duty to call upon the Governor for military aid in the manner provided by law, in order that such riots, or tumults, may be properly and effectually suppressed.

SEC. 47. The Mayor may call special meetings of the Council. He shall be duly notified by the City Clerk of all special meetings of the Council when called by its members, and the time and place of all regular or special meetings of the standing or special committees thereof, and shall have the right and privilege of being present at all such meetings.

SEC. 48. The Mayor shall, at least once a month, together with the President of the Council and the City Attorney, count the cash in the City Treasury, and see that it corresponds with the books of the Treasurer, and report the result of such count to the Council.

SEC. 49. The Mayor shall see that all contracts and agreements with the city are faithfully kept and fully performed; and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city against all persons, companies, or corporations failing to fulfill their agreements or contracts, either in whole or in part.

It shall be the duty of every officer and person in the employ or service of the city, when it shall come to his knowledge that any contract or agreement with the city, or with any officer or department thereof, or relating to the business of any officer, has been or is about to be violated by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter; and a willful failure so to do shall be cause for the removal of such officer or employé, as in case of malfeasance in office.

SEC. 50. The Mayor shall have the general supervision of all city officers, elected or appointed; he shall have power to suspend any city officer for a dereliction, neglect, or non-performance of duty, and shall report the same to the Council. If the Council approve of the suspension they shall declare the office vacant, or continue the suspension for such time as they may deem proper; and such vacancy shall be filled as provided for by the provisions of this charter.

SEC. 51. When a vacancy occurs in the office of Mayor, it shall be filled for the unexpired term by the Council, assembled for that purpose. The person selected shall possess the qualifications hereinbefore prescribed for Mayor, and a member of the Council during the term for which he shall have been elected or appointed shall be ineligible to fill such vacancy.

SEC. 52. The Mayor, by and with the consent of the Council, shall appoint all officers of the city, whose election or appointment is not otherwise provided for in this charter, or by law. When a nomination is made to the Council, action shall be taken thereon within fifteen days thereafter; and in case the officer nominated is not confirmed, the Mayor shall, within ten days thereafter, nominate another, and may continue doing so until the place is filled. No member of the Council shall ever suggest, request the appointment of, appoint, or nominate any officer, clerk, or employé to any place in the city government, except to fill a vacancy in the office of Mayor, elect the President of the Council, and necessary election officers.

SEC. 53. The Mayor shall not, during the term for which he shall have been elected or appointed, hold any other office or be a member of any Board or Commission connected with the Federal, State, or City Government except ex officio Harbor Commissioner of the port of Eureka, and except also as in this charter otherwise provided. Nor shall he ever receive from the city, for any cause or reason, any other or greater compensation than the salary allowed him as Mayor.

SEC. 54. The Mayor may, when authorized by the Council so to do, appoint a Clerk, to be known as Mayor's Clerk. The Mayor shall perform all such other duties as may be prescribed by law or ordinance.

ASSESSOR.

SEC. 55. The Assessor shall have been a citizen of the State, and a resident and qualified elector of the city, for at least five years next before his election. It shall be his duty to prepare, on or before the first Saturday in May of each year, or at such other time as may be directed by ordinance, and present to the Council, with his certificate of its correctness, a list of all the real and personal property within the city taxable for State and county purposes, with a true valuation thereof, which said assessment list shall conform, as near as practicable, when not inconsistent with the provisions of this charter, to the assessment list required by law to be made by the County Assessor for State and county purposes; to be present at the sessions of all Boards of Equalization mentioned in this charter; to furnish to said Board such information as may be required, and to perform such other services in reference to the assessments of property in the city, or otherwise appertaining to his office, as the Council shall require or direct. During the session of the Board of Equalization, the Assessor shall enter upon the assessment list all the changes and corrections made by the Board, and may assess and add to said list any property in such city not previously assessed. He shall make, or procure to be made, all necessary abstracts to be used in making up the assessment of property within the city, and, after the taxes have been duly levied by the Council, shall make the proper calculations, and extend upon the assessment book the amount of taxes due from each person, firm, or corporation, and deliver said book to said Council, so completed, on or before the second Saturday in May of each year, or such other time as may be directed by ordinance, and at the expiration of his term of office, he shall deliver to his successor in office all books, maps, plats, description of property, and all other things appertaining to his said office.

In the assessment and listing of property for taxation, and in the collection of tax upon personal property not secured by lien upon real estate, and poll taxes, he shall have and may exercise the same powers as are conferred by law upon County Assessors, and shall receive therefor the same fees and compensation.

TREASURER.

SEC. 56. The Treasurer shall have been a citizen of the State, and a resident and qualified elector of the city, for at least five years next before his election.

It shall be his duty to receive and keep all moneys that shall come to the city by taxation or otherwise, and to pay the same out on demands legally audited in the manner provided by law; and without such auditing he shall disburse no public moneys whatever, except the principal and interest on the municipal debt, when payable.

He shall keep an account of all his receipts and expenditures, under such rules and regulations as may be prescribed by ordinance. He shall make a monthly statement to the Council of all his receipts and expenditures of the preceding month, and shall do all things required of him by law, or ordinance of said city. As soon as suitable vaults and safes are provided, the Treasurer shall keep therein all moneys belonging to the city; he shall not thereafter, under any circumstances, deposit with or loan to any person, corporation, or bank, any of the moneys of the city, or allow the same (except in payment of demands against the city) to pass out of his custody.

TAX COLLECTOR.

SEC. 57. The Tax Collector shall have been a citizen of the State, and a resident and qualified elector of the city, for at least five years next before his election. It shall be his duty to receive and collect all city taxes, general and special; he shall also collect all city licenses, water rates, harbor dues, cemetery receipts, and such other branches of the city revenue, not otherwise herein provided for, as the Council may direct. He shall keep proper books, showing all moneys collected by him as Tax Collector, and also a book which shall contain a record of every deed, given by or on behalf of the city for real estate, sold for delinquent taxes or assessments, which book shall be properly indexed, and shall be at all suitable times subject to public inspection, and do and perform such other duties as may be required of him by law or ordinance of said city.

He shall pay all moneys collected by him, as Tax Collector, into the City Treasury, weekly. The time and manner of collecting all licenses shall be provided for by the Council.

CITY ATTORNEY.

SEC. 58. The City Attorney shall have been an elector of the city at least two years next before his election; he shall be an attorney and counselor-at-law, duly admitted to practice by the Supreme Court of the State of California, and shall have actually been engaged in the practice of his profession for a period of at least five years next before his election. It shall be his duty to prosecute in behalf of the people all criminal cases arising upon violations of the provisions of this charter and city ordinances, and to attend to all suits, matters, and things in which the city may be legally interested; *provided*, the Council shall have control of all litigation of the city, and may employ other attorneys to take charge of any litigation, or to assist the City Attorney therein.

He shall give his advice or opinion in writing whenever required by the Mayor, Council, Board of Education, or other city officers; he shall be the legal adviser of all city officers; he shall approve the form of all bonds given to, and all contracts made

with, the city; he shall, when required by the Council or any member thereof, draft any and all proposed ordinances for the city, and shall do and perform all such things touching his office as by the Council or Mayor may be required of him.

CITY CLERK.

SEC. 59. The City Clerk shall have the custody and be responsible for the corporate seal, and all books, papers, records, and archives belonging to the city, not in actual use by other officers, or otherwise by special provision committed to their custody; he shall be present at each meeting of the Council during its sessions, and keep a journal of all proceedings; he shall keep separate books in which, respectively, he shall record all ordinances and contracts, and official bonds; he shall keep all his books properly indexed and open to public inspection when not in actual use; he shall make out, sign, and deliver to the City License Collector all licenses other than building permits; he shall draw all warrants on the City Treasury, countersign the same, and perform such other duties as are, or shall be, imposed by this charter or by ordinance. He shall make no charge for taking affidavits or administering oaths in matters relating to the business of the city.

CITY ENGINEER.

SEC. 60. In addition to other duties imposed upon him by this charter or by ordinance of the Council, the City Engineer shall:

1. Make all surveys, inspections, and estimates required by the Council.
2. He shall examine all public work done under contract and report thereon in writing to the Council.
3. He shall, on application of any person owning or interested in real property in said city, for a survey or plat of such property, make and deliver the same upon the payment of his fees therefor.
4. He shall be the custodian of and responsible for all maps, plats, profiles, field notes, and other records and memoranda belonging to the city pertaining to his office and the work thereof; all of which he shall keep in proper order and condition, with a full index thereof, and all of which he shall turn over to his successor.
5. All maps, plats, profiles, field notes, estimates, and other memoranda or surveys, and other professional work, made or done by him, or under his direction or control during his term of office for the city, shall be the property of the city.

SUPERINTENDENT OF STREETS.

SEC. 61. The Superintendent of Streets shall have been a citizen of the State, and a resident and qualified elector of the city, at least five years next before his election. He shall have the general care of and frequently inspect the streets of the city. He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street obstruction. He shall frequently inspect all public works pertaining to street improvements, while the same are in course of construction; inspect and approve or reject all material used in such construction, whether done under contract or otherwise; and shall at once report to the Council, in writing, all deviations from contract, and use of improper material and bad workmanship in such works; and shall have power, pending investigation, to stop all work thereon. He shall perform such other duties as are herein elsewhere prescribed or imposed by ordinance. He shall devote his entire time to the duties of his office.

OFFICIAL OATHS.

SEC. 62. Every officer provided for in this charter shall, before entering upon the duties of his office, take, subscribe, and file with the City Clerk, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of — to the best of my ability."

OFFICIAL BONDS.

SEC. 63. Every officer of the city, the amount of whose bond is named in this section, and every other officer required to do so by the Council, shall, before entering upon the duties of his office, and within ten days after notice of his election or appointment, or before the expiration of fifteen days from the commencement of his term of office when no such notice has been given, file his official bond and oath of office; said bond shall be made payable to the City of Eureka, be signed by at least two sufficient sureties, and be conditioned for the faithful performance of the duties of the office. All official bonds, except those of members of the Council, shall be approved or rejected by the Council by an order entered upon the minutes and by the indorsement of the word "Approved" or the word "Rejected" on the bond, with the date of the approval or rejection, signed by the City Clerk and presiding officer of the Council.

The official bonds of the members of the Council shall be approved by the Mayor. All official bonds shall be filed and kept in the office of the City Clerk, and must also be forthwith recorded by him in a book kept for that purpose. The official bond of the City Clerk, after recording, shall be filed and kept in the office of the Treasurer. The

Council may at any time require an additional amount or new sureties upon any official bond which it may determine insufficient, and must require an additional bond or new sureties whenever a surety thereon shall die, or become insolvent, or cease to be a resident of the State. If such additional bond or additional security be not given, the Council must declare the office vacant, and as soon as such declaration is made the office becomes vacant. No official bond shall be approved unless the sureties thereon shall justify in the manner provided for in the Political Code for the justification of sureties on official bonds of county officers; and all persons offered as sureties on official bonds may be personally examined on oath as to their qualifications by the officers whose duty it is to approve the bond.

The amounts in which the respective officers shall execute official bonds shall be as follows:

- The Mayor, five thousand dollars;
- The Assessor, five thousand dollars;
- The Tax Collector, ten thousand dollars;
- The Treasurer, forty thousand dollars;
- The City Attorney, two thousand five hundred dollars;
- The City Clerk, two thousand five hundred dollars;
- The City Engineer, two thousand five hundred dollars;
- The Superintendent of Streets, two thousand five hundred dollars;
- The Chief of Police, five thousand dollars;
- Captains and Sergeants of Police and policemen, one thousand dollars;
- Chief Engineer of Fire Department, two thousand five hundred dollars;
- City Physician, two thousand five hundred dollars; and
- Members of the Council, two thousand five hundred dollars each.

OFFICIAL SALARIES.

SEC. 64. The compensation of the officers and employes of the city shall be per annum as follows:

- The Mayor, three hundred dollars;
- The Assessor, eight hundred dollars;
- The Treasurer, five hundred dollars;
- The Tax Collector, six hundred dollars;
- The Police Judge, seven hundred and fifty dollars;
- The City Attorney, six hundred dollars;
- The City Clerk, six hundred dollars;
- The City Engineer, eight dollars per diem during the time actually employed;
- The Superintendent of Streets, nine hundred dollars;
- The Chief of Police, twelve hundred dollars;
- Captains and Sergeants of Police, eight hundred and forty dollars;
- Other members of the police force, eight hundred and forty dollars;
- Chief Engineer of the Fire Department, three hundred dollars;
- City Physician, two hundred and forty dollars; and
- Each member of the Council, three hundred dollars.

All salaries shall be payable in equal monthly installments. The salaries of all other officers, and compensation of all employes other than those herein named, except where otherwise expressly provided in this charter, shall be fixed by the Council.

SEC. 65. The Council may at any time, by ordinance for that purpose, increase or decrease the compensation of officers and employes as herein fixed; *provided*, no such change in the amount of compensation of any office held for a definite term shall take effect during the term of the then incumbent of the office.

SEC. 66. The compensation of the officers and employes of the Educational Department shall be paid out of the School Fund; of the Fire Department, out of the Fire Department Fund; of the Police Department, out of the Police Fund; and of other officers and employes out of the General Fund.

SEC. 67. Whenever the Council consolidates and unites one or more offices, the person holding the office, and to which the other or others are made *ex officio*, shall receive the salary provided for that office, together with one half of the salary or salaries provided for the *ex officio* office or offices.

ANNUAL REPORTS OF OFFICERS.

SEC. 68. It shall be the duty of the Mayor, Assessor, Treasurer, Tax Collector, City Attorney, City Clerk, City Engineer, Superintendent of Streets, City Physician, City School Superintendent, Police Judge, and Chief of Police, each to present to the Council at its first meeting in January of each year, a report for the preceding year, ending the thirty-first day of December last, which shall show as follows:

1. The Mayor shall, in addition to his report as Mayor, inform the Council of the condition of the police force, the number of arrests made, the offense charged, and how disposed of, the penalties inflicted, and the amount of fines, and from whom collected; and to that end he may require such reports from the Police Judge and Chief of Police as he may deem necessary.

2. The Assessor shall in his report show the amount of personal property taxes collected by him, the number and amount of poll and street and alley taxes collected,

together with the amount of any fees which he may have received on account of such collection in each case.

3. The Treasurer shall show, in his report, specifically the amounts of all indebtedness of the city; of money received by him during the year, the date of the receipt thereof, and from whom; the amount paid out, when and to whom; and the date and number of the demand on which the respective amounts are paid.

4. The Tax Collector shall report the amount of money received, and on what accounts.

5. The City Attorney shall, in his report, present an abstract of all actions and proceedings in the Supreme and Superior Courts, where the city is an interested party; and shall show what cases have been disposed of during the year, and in what manner, and the condition of those remaining on the calendar.

6. The report of the City Clerk shall show the number of licenses issued, and for what amount.

7. The report of the City Engineer shall show the character, cost, and condition of all public works and improvements in course of construction during the year.

8. The Superintendent of Streets shall report upon the condition of the streets of the city, and the improvements of the same during the year, and shall show what action was taken by him in the enforcement of ordinances pertaining to street obstructions, and in regard to deviations from contracts in the construction of public works.

9. The City Physician shall show the condition of the health of the city during the year; the number and character of cases of contagious diseases in said city during said time; the number of deaths therefrom; the number of deaths from all causes; the number of births, and other matters of interest pertaining to his office.

10. The report of the City School Superintendent shall show the number and condition of the public schools, the number of teachers, and their salaries, and the number of pupils in attendance.

11. The Police Judge shall report the number of cases commenced, their character and how disposed of; the number and character of cases then pending; the amount of fines imposed; the amount of such fines paid or collected, and what disposition he has made of the same.

12. The Chief of Police shall report the number of arrests made, and by whom; the offenses charged, and how disposed of; and all money and property received from prisoners, and the disposition of the same.

ARTICLE V.

JUDICIAL DEPARTMENT—COURTS.

SEC. 69. The judicial power of the city shall be vested in a Police Court, and in such Justices' Courts as are or may be provided for by law.

SEC. 70. The Police Court has jurisdiction of the following public offenses committed within the city boundaries:

1. Petit larceny;
2. Assault and battery, not charged to have been committed upon a public officer in the discharge of his official duty, or with intent to kill;
3. Breaches of the peace, riots, affrays, committing willful injury to property, and all misdemeanors punishable by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment; and,
4. Of proceedings respecting vagrants, lewd or disorderly persons.

SEC. 71. The Police Court also has jurisdiction:

1. Of all proceedings for the violation of any ordinance of the city, both civil and criminal.
2. Of any action for the collection of taxes and assessments levied for city purposes; or for the erection or improvement of any school house or public building; for the laying out or opening or improving any public street or sidewalk, lane, alley, bridge, wharf, pier, or dock; or for the purchase of or the improvement of any public ground; or for any and all public improvements made and ordered by the city within its limits, when the amount of the tax or assessment sought to be collected against the person assessed is less than three hundred dollars; but no lien upon the property taxed or assessed for the non-payment of the taxes or assessments can be foreclosed in any such action.
3. Of an action for the collection of money due to the city or from the city to any person, when the amount sought to be collected, exclusive of interest and costs, is less than three hundred dollars.
4. For the breach of any official bond given by any city officer, and for the breach of any contract, and any action for damages in which the city is a party or is in any way interested; and all forfeited recognizances given to or for the benefit or in behalf of the city; and upon all bonds given upon any appeal taken from the judgment of the Court in any action above named where the amount claimed, exclusive of costs, is less than three hundred dollars.
5. For the recovery of personal property belonging to the city, when the value of the property (exclusive of the damages for the taking or detention) is less than three hundred dollars; and,
6. Of an action for the collection of any license required by any ordinance of the city.

SEC. 72. In all cases in which the Judge is a party, or in which he is interested, or when he is related to either party by consanguinity or affinity within the third degree, and in case of his sickness or inability, the Police Judge may call in a Justice of the Peace residing in the city to act in his place and stead.

SEC. 73. Police Courts are always open for the transaction of business, except on non-judicial days.

SEC. 74. Proceedings in the Police Courts in criminal actions for offenses not triable in such Courts must be had in conformity with the provisions of part two, title three, chapter seven of the Penal Code.

SEC. 75. Proceedings in the Police Courts in criminal actions triable in such Courts are regulated in part two, title eleven, chapter one of the Penal Code.

SEC. 76. Proceedings in the Police Courts in civil actions are regulated by part two, title twelve, of the Code of Civil Procedure.

ARTICLE VI.

REVENUE AND TAXATION.

SEC. 77. The Council shall annually fix the rate of taxation to be levied, and levy the taxes upon all property, both real and personal, in the city, necessary to raise sufficient revenue to carry on the various departments of the municipal government for the current fiscal year; *provided*, that the rate of taxation so levied shall not exceed in any year one dollar for each one hundred dollars upon the assessed value thereof, except for the payment of the principal and interest of the bonded debt of the city, if any.

SEC. 78. The Council shall, before fixing the rate of the annual city tax, establish by ordinance separate funds representing the several funded obligations of the city, if any, and the several departments requiring municipal expenditures, including a General Fund, and the percentage of said levy shall be named for each fund, and the whole amount of taxes and revenue of the city apportioned accordingly; and no transfers shall be made except of balances in excess, or from the General Fund to meet deficiencies, or to provide for the redemption of city bonds, if any.

SEC. 79. Except as in this charter otherwise provided, the assessment of property taxable in the city for municipal purposes, the equalization of assessments, the collection of taxes, the sale of property for unpaid taxes, and the redemption of property sold for taxes, shall be made and had in the same form and manner, and with like effect, as now or may be hereafter provided by law for the assessment of property, equalization of assessments, levy and collection of taxes, and sale of property for unpaid taxes for state and county purposes, and redemption thereof; and all provisions of law applicable to such assessment, equalization, levy, collection, and sale for State and county purposes are hereby applied to, and shall be the law governing such assessment, equalization, levy, collection, and sale for municipal purposes, and the respective officers of the city shall have, possess, and perform the same powers and duties in all matters concerning revenue and taxation for municipal purposes as are by law conferred or imposed upon county officers in matters concerning revenue and taxation for state and county purposes, and except as in this charter otherwise provided, and to that end—

First—All powers and duties so by law conferred or imposed upon the County Assessor are hereby conferred and imposed upon the City Assessor.

Second—All powers and duties so by law conferred or imposed upon the Board of Supervisors are hereby conferred and imposed upon the Council.

Third—All powers and duties so conferred or imposed upon the District Attorney are hereby conferred and imposed upon the City Attorney.

Fourth—All powers and duties so by law conferred or imposed upon the County Tax Collector are hereby conferred and imposed upon the City Tax Collector.

Fifth—All powers and duties so by law conferred or imposed upon the County Treasurer are hereby conferred and imposed upon the City Treasurer.

Sixth—All powers and duties so by law conferred or imposed upon the County Clerk, County Recorder, or County Auditor, are hereby conferred and imposed upon the City Clerk.

SEC. 80. The Council shall regulate by ordinance the date of making the annual tax levy; the time, manner, and place of payment of all taxes; when they shall become delinquent; the time when they shall sit as a Board of Equalization; the date of all sales of property for delinquent taxes; and the time, form, and manner of making and giving all notices, if any, relative to any of such subjects.

SEC. 81. The Assessor must make the abstract provided for in section three thousand six hundred and seventy-eight of the Political Code. Should any such abstract or list be found to contain any instrument relating to lands situated partly within and partly without the city, it shall be the duty of the Assessor to determine the proportion of valuation of such instrument to be assessed in the city, and assess the same accordingly.

SEC. 82. The Assessor shall be governed as to the amount of taxes to be by him collected on personal property by the city tax rate of the previous year.

SEC. 83. Every tax due upon personal property is a lien upon the real property of the owner thereof; every tax due upon real property is a lien against the property assessed, and every tax due upon improvements upon real estate assessed to others than the owner of the real estate is a lien upon the land and improvements, and which said several liens attach as of the first Monday of March in each year at twelve o'clock m.

Sec. 84. Every male inhabitant of said city over the age of twenty-one years and under sixty years of age, except paupers, insane persons, and Indians not taxed, shall annually pay a poll tax of one dollar: *provided*, the Council may exempt the members of any volunteer fire company, or exempt firemen, from the payment thereof.

Sec. 85. The Council shall annually, at the same time and in the same manner that other taxes are levied and collected, levy and collect from every male inhabitant of said city, over the age of twenty-one years and under fifty-five years of age, a road poll tax of two dollars; *provided*, the Council may exempt the members of any volunteer fire company, or exempt firemen from the payment thereof. Said taxes shall be kept in a fund denominated "The Street and Alley Fund," and which shall be used exclusively for the streets and alleys of said city.

Sec. 86. Whenever the Council shall determine that the public interest requires the construction, or acquisition, or completion of any permanent municipal building, work, sewer, property, water or light system, wharves, or improvements, the cost of which, in addition to the other expenditures of the city, will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a debt for such purpose, and proceed therein as provided in section eighteen of article eleven of the Constitution of this State and general law: *provided*, that such indebtedness shall not bear more than five per cent interest per annum, and that no bond issued therefor shall be sold for less than par value and to the highest bidder after advertising for sealed proposals therefor. Nor shall any such bonds be issued or sold during any one year in excess of the actual expenditures incurred in that year.

ARTICLE VII.

EDUCATIONAL DEPARTMENT.

Sec. 87. The government of the School Department of the city shall be vested in a Board of Education, to consist of five members, to be called School Directors, and who shall receive no compensation. One School Director for each ward shall be elected by the qualified electors thereof at the regular municipal election, and shall hold office for a term of four years, and until their successors are elected and qualified; *provided, however*, that the Directors elected at the first election after the adoption of this charter, for the odd-numbered wards, shall hold office for two years only.

Sec. 88. The School Directors shall meet upon the second Monday in July next after their election, and organize by electing one of their number President, whose term of office shall be two years.

The Board shall hold regular meetings at least once in each month, at such time as shall be determined by its rules, and in the place provided for them by the City Council. Special meetings may be called at any time by the President or any two members of the Board. A majority of the members shall constitute a quorum for the transaction of business, and an affirmative vote of three members shall be necessary to pass any measure. The sessions of the Board shall be public, and its records open to public inspection.

The Board may determine the rules of its proceedings, and the ayes and noes shall be taken, when demanded by any member, and entered on the records of the Board. Any vacancy occurring in the Board shall be filled, until the next municipal election, by a majority vote of the remaining Directors, and in case of a tie vote the Mayor of the city shall have the casting vote. The appointee shall be a resident of the ward in which the vacancy occurred.

Sec. 89. The powers and duties of the Board of Education are as follows:

1. To establish and maintain public schools, including kindergarten and high schools; to change, consolidate, and discontinue the same.

2. To manage and control the school property.

3. To employ, pay, and dismiss teachers, janitors, School Census Marshals, and such persons as may be necessary to carry into effect the powers and duties of the Board, and to fix, alter, allow, and order paid their salaries or compensation, and to withhold, for good and sufficient cause, the whole or any part of the salary or wages of any person or persons employed as aforesaid; *provided*, that no election of a teacher or other person employed by the Board shall be construed as a contract either as to duration of time or amount of wages of such person.

4. To make, establish, and enforce all necessary rules and regulations for the government and progress of public schools, and for the investigation of charges against any person in the employ of the department, and to carry into effect the laws relating to education.

5. To establish and regulate the grade of schools and determine the course of study, the mode of instruction, and what text-books, other than those published by the state, shall be used in said schools; but any text-book adopted by the Board shall not be changed within a period of four years after its adoption.

6. To provide for the school department all necessary supplies, to wit: ink, pens, tablets, registers, blank reports, promotion cards, crayons, writing paper, rulers, pencils, diagrams, maps, globes, chemical and mechanical apparatus, and certificates of graduation, fuel and lights, and incur such other incidental expenses as may be necessary for the welfare of the department.

7. To build, alter, repair, rent, and provide school houses, and to furnish them with proper school furniture, apparatus, and appliances, and to insure any and all school property.

8. To purchase, sell, lease, or exchange school lots; to take charge of any and all real estate and personal property that may have been, or that may be hereafter, acquired for the use and benefit of the public schools of the city, and to make, in the name of the city, conveyances of all such real estate belonging to the city and sold by the Board of Education; *provided*, that no real estate shall be bought, sold, or exchanged without the concurrence of four fifths of the members of the Board, and the consent of the City Council, evidenced by ordinance; *and provided further*, that the proceeds of such sale of real estate or personal property shall go into the General School Fund of the city.

9. To grade, fence, and improve all school lots.

10. To sue for any and all lots, land, and property belonging to or claimed by said School Department; and to prosecute and defend all actions at law, or in equity, necessary to recover and maintain the full enjoyment and possession of said lots, land, and property.

11. To establish regulations for the just and equal disbursement of all moneys belonging to the Public School Fund.

12. To prohibit any child under six years of age from attending the public schools.

13. To examine and allow, in whole or in part, every demand payable out of the school funds, or to reject any such demand for good cause, of which the Board shall be the sole judge.

14. To admit non-resident children to any of the departments of the schools, at their discretion, upon the payment at such time as the Board may direct, for tuition fees, to be fixed by the Board.

15. To dispose of, at public or private sale, such personal property as shall be no longer required by the department.

16. To exclude from the schools and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.

17. To furnish books for children of parents unable to furnish them, and all books so furnished shall belong to the city, and shall be kept in the libraries of the schools when not in use.

18. To use and apply the school funds of the city for the purposes herein named, and for no other purposes whatever.

19. And generally to do and perform such other acts as may be required by general law applicable to the city, and as may be necessary and proper to carry into force and effect the powers conferred on said Board, and to increase the efficiency of the public schools in the city.

Sec. 90. It shall be the duty of the Board to prescribe a course of study that will fit and prepare the students therein to enter any of the departments of the State University. Such course shall be known as the High School Course.

Sec. 91. Each member of the Board shall visit every school in the city at least once in each term, and examine carefully into its management, condition, and wants.

Sec. 92. The Board of Education shall elect by ballot a City Superintendent of Schools, whose term of office shall be one year, unless sooner removed for cause by a vote of the majority of the members, after a full investigation.

The City Superintendent of Schools shall give his time and attention to the duties of his office, subject to the regulation of the Board of Directors. He shall have all the privileges of a member of the Board, except the right to vote.

He shall act as Secretary and bookkeeper of the Board, and perform all clerical duties required by said Board. In the absence of the City Superintendent of Schools, the Board may appoint one of its members to act as Secretary.

Sec. 93. The City Superintendent of Schools and teachers of the public schools shall be experienced teachers, and shall possess the qualifications required by the Board of Education of Humboldt County, and such other qualifications as the Board of Education may prescribe.

Sec. 94. The City Superintendent of Schools, and each member of the Board, shall have power to administer oaths and affirmations in all matters connected with the department.

Sec. 95. All contracts for building shall be awarded to the lowest bidder therefor furnishing adequate security, to be determined by the Board, after due public notice, published for not less than ten days in one daily paper of the city.

Sec. 96. Any member of the Board of Education, or any person officially connected with the School Department, or drawing a salary from the Board, who, while thus drawing such salary, upon investigation by the Board, or by any special committee that may be appointed by the Council, shall be found to be interested directly or indirectly in, or to have gained any advantage or benefit from any contract payments or any purchases of any kind which have been or are to be made in any part from moneys derived from the School Fund, or raised by taxation or otherwise, for the support of the public schools, shall forfeit his office, and the Board shall thereupon declare such office vacant.

Sec. 97. The Board of Education shall estimate the amount necessary, in their judgment, to carry on the public schools for the next school year, and shall report the same to the Council before the annual tax levy be made. And thereupon the Council shall levy a rate of tax for school purposes sufficient to raise the amount deemed necessary

by the Council, not to exceed thirty cents on the one hundred dollars' valuation of the taxable property of the city as assessed.

SEC. 98. The Board shall cause to be published in January and July of each year, in some daily newspaper printed and published in the city, a tabulated statement showing the income and resources of the School Department, and the general expenditures for such school purposes, together with such other information as will show the general condition of the schools, and the work accomplished by the department for the previous six months.

SEC. 99. The Public School Fund of said city shall consist of all moneys received from the State and County School Fund, of all moneys arising from taxes which shall be levied by the City Council for school purposes; of all moneys arising from the sale, rent, or exchange of any school property; and of such other moneys as from any source whatever may be paid into the School Fund, which fund shall be kept separate and distinct from all other moneys, and shall only be used for school purposes, under the provisions of this charter. No fees or commissions shall be allowed or paid for assessing, collecting, keeping, or disbursing school moneys; and if at the end of the fiscal year any surplus remains in the School Fund, such surplus money shall be carried forward to the School Fund of the next fiscal year, and no part of the School Fund shall be for any purpose, or in any manner whatever, diverted or withdrawn from any such fund, except as in this chapter provided.

SEC. 100. All claims payable out of the School Fund shall be filed with the Secretary of the Board, and shall be approved by a majority of all the members elected to said Board, upon a call of ayes and noes, which shall be recorded.

After claims have been approved, as herein mentioned, the Secretary of said Board shall draw a warrant upon the City Treasurer for the payment thereof, which warrant shall be signed by the President and countersigned by the Secretary.

All demands for salaries of teachers and compensation of janitors shall be payable monthly in the same manner, without presentation of claims therefor.

SEC. 101. All demands authorized by this article, and by the Board, approved as aforesaid, shall be paid by the City Treasurer from the School Fund, upon presentation of the warrant therefor; *provided*, that the Board of Education shall not have the power to create any debts or liabilities in any one year to exceed the annual revenue or available means under the control of the Board, and justly applicable for school purposes for such year.

SEC. 102. The City Superintendent of Schools shall receive for his services a salary to be fixed by the Board of Education, and such salary shall be in full payment of such Superintendent for all services rendered by him as City Superintendent of Schools, and as ex officio Secretary of the Board of Education.

SEC. 103. The City Attorney shall be the attorney of the Board, and shall not receive any compensation for services rendered or to be rendered for the Board, other than or in addition to his salary as such City Attorney.

SEC. 104. The school year shall consist of forty weeks of actual schooling, exclusive of all holidays.

SEC. 105. The daily sessions of the schools shall continue for six hours, exclusive of noon intermission, and including the recesses; *provided, however*, that no pupil under eight years of age shall be kept in school more than four hours a day.

SEC. 106. In case of disaster from fire, riot, earthquake, or public enemy, the Board of Education may, with the approval of the Mayor and Council, incur extraordinary expenditures in excess of the annual limit provided by this charter for repair, construction, and furnishing of school houses; and the Council may, by ordinance, cause to be transferred to the School Fund from moneys in any other fund not otherwise appropriated, sufficient moneys to liquidate such extraordinary expenditures.

SEC. 107. The Board of Education succeeds to all the property rights, and to all the obligations of the School Trustees of Eureka School District heretofore existing.

ARTICLE VIII.

POLICE DEPARTMENT.

SEC. 108. There shall be a Chief of Police, who shall be a qualified elector of the city, not less than twenty-five years of age, and who shall be appointed by the Mayor, by and with the consent of the Council, and shall hold office during the pleasure of the appointing power.

SEC. 109. The Chief of Police shall have command and control of the police force, subject to the general supervision of the Mayor. He shall have power to suspend any policeman for disobedience of any lawful order, for the violation of the rules of the department, neglect of duty, drunkenness, or misconduct as a policeman; and he shall, upon suspending a policeman, promptly certify the fact, with the cause thereof, to the Mayor, who shall forthwith report the same in writing, together with the charges preferred against such policeman, to the Council, and if such policeman be found guilty by the Council, he shall be dismissed from the police force.

SEC. 110. The Chief of Police shall observe, and cause to be observed and enforced, all laws and ordinances within the city, and shall see that all lawful orders and processes of the Council, Police and Justices' Courts within the city are promptly executed. For the suppression of any riot, public tumult, disturbance of the peace, unlawful assembly,

organized resistance to the laws or public authorities in the performance of their duties, or in arresting persons for public offenses, he shall have the powers that are or may be hereafter conferred upon Sheriffs by any law, and all his lawful orders shall be promptly executed by the police officers.

In addition to the powers and duties herein enumerated, the Chief of Police shall have such other powers and perform such other duties pertaining to the Police Department as may from time to time be conferred or imposed upon him by ordinance.

SEC. 111. The Chief of Police shall keep a public office, to be provided by the Council, which office shall be kept open, and at which he, or a police officer designated by him, shall be in attendance at all hours, day and night.

The Chief of Police shall devote his entire time to the discharge of the duties of his office, and shall not absent himself from the city, without urgent necessity, unless in pursuit of persons who have committed public offenses within the limits of the city. If such absence from the city be upon any other than business immediately connected with his office, except on vacation (and then only by written consent of the Mayor filed with the City Clerk), he shall forfeit his salary for the time of such absence, and the proper amount shall be deducted from his next salary warrant by the City Clerk. He shall designate one of the policemen to attend constantly upon the Police Court, and to execute the orders and processes thereof; but any policeman shall have authority to execute the orders and processes of the Police and Justices' Court.

SEC. 112. There shall be a Captain of Police, selected from among the police force by the Mayor, by and with the consent of the Council, and who, in the absence of the Chief of Police, shall have command and control of the police force, and who shall perform such other duties and have such other powers pertaining to the Police Department, as shall be required of him by the Chief of Police, or from time to time be imposed or conferred on him by ordinance of the Council.

The term of office of the Captain of Police shall be during the pleasure of the appointing power.

SEC. 113. In addition to the Chief of Police, there shall be a permanent police force, which shall consist of such number of policemen, not less than three and not exceeding one for every one thousand inhabitants, as the Council shall, from time to time, by ordinance, authorize to be appointed. The policemen shall be appointed by the Mayor, by and with the consent of the Council, and shall hold office during good behavior, unless removed for cause, or for the improvement of the public service, as in this charter provided. The Chief of Police may appoint from the police force a day and a night jailer, who shall be termed Sergeants of Police. No person shall be appointed to any position on the police force of the city unless he shall be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident and elector of the city for at least one year next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in health, strength, or courage; and except those in service on the police force at the time this charter takes effect, every appointee hereafter shall be not less than twenty-five years or more than forty-five years of age, and must, before being appointed, present to the Mayor a certificate from the City Physician that the applicant is in sound health, and free from any physical disability that would incapacitate him for the duties of a policeman.

SEC. 114. Whenever the Council shall deem it expedient, a patrol system may be provided for the use of the Police Department, which system shall include horses, wagons, and all electric or other appliances necessary for the operation of such system.

SEC. 115. Except as otherwise in this charter prescribed, the Mayor, in making appointments of members of the police force, shall be guided solely by the fitness of the applicant, and no person shall ever be appointed to, or removed from, the police force for or on account of partisanship, or for or on account of his political or religious opinions.

No member of the Police Department shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, or take any part in any general or primary election, except to vote; and any officer, member, or employé in said department violating any of the provisions of this section shall forfeit his position.

SEC. 116. No member of the police force shall be allowed to receive any money, gratuity, or compensation for any services he may render as an officer, except rewards, which have been publicly offered for the apprehension and conviction of criminals, without the written consent of the Mayor, first filed with the City Clerk, and any member of the police force who shall violate this provision shall be at once removed from office. The members of the police force shall not follow any other profession, calling, or business, but shall devote their entire time to the performance of their official duties; nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except for the yearly vacation provided for by general law.

SEC. 117. The members of the police force shall promptly and fully obey, enforce, observe, and caused to be obeyed and enforced, all lawful orders of their superiors, and all rules and regulations of the Police Department. They shall be prompt and diligent in the detection of crime, the arrest of public offenders, with or without a warrant, the suppression of all riots, affrays, and disturbances of the peace, in the abatement of public nuisances, and the enforcement of the laws and city ordinances. It shall be the duty of each member of the police force to acquaint himself with the provisions of this

charter, with all ordinances of the city, and with all laws of the State defining public offenses and regulating criminal proceedings.

Sec. 118. Whenever the Council by resolution shall so direct, there shall be appointed by the Mayor, by and with the consent of the Council, two policemen in each ward of the city, who shall be known as extra policemen.

Such extra policemen shall be resident electors of the ward for which they are appointed. Such extra policemen shall at all times be diligent in preventing and suppressing disturbances of the peace and in arresting public offenders with or without warrant, and they shall, whenever called upon, aid the Chief and regular police officers in making arrests and quelling disturbances. They shall be under the general control of the Chief of Police and shall report their acts to him, but shall not be assigned to regular service, nor be required to do regular patrol duty. Such extra policemen shall hold office during the pleasure of the appointing power, and shall receive the same rate of pay as the regular policemen for the time actually engaged in the performance of their official duty. No extra policeman shall act as a special policeman, nor shall he be permitted to ask or receive any pay or compensation, from any source for his services as policeman, other than the pay herein provided for.

Sec. 119. In addition to the regular and extra police force, the Mayor may at times, when very large numbers of people, in addition to the permanent inhabitants, congregate in the city, appoint not to exceed fifteen special policemen, to serve not to exceed two weeks, who shall also receive the same rate of compensation for their services as is paid to regular policemen. The Mayor may also, by and with the consent of the Council, upon the petition of any person, firm, or corporation, appoint at any time a special policeman for special service, to be paid for by such person, firm, or corporation; *provided, however*, that the locality where such special policeman is to act shall be described in the warrant of appointment; *and provided further*, that no such appointment shall be made until the Council, by an affirmative vote of at least four members, authorize the appointment of a special policeman for such locality.

The policeman so appointed shall not receive any pay from the city. All special policemen shall possess all the powers and discharge all the duties of regular policemen, and be under the direction and control of the Chief of Police, and be subject to and obey all rules and regulations of the Police Department. The term of office of any special policeman shall not extend beyond one year, nor shall such special policeman continue to act as such for a longer period than one year unless reappointed.

Sec. 120. The Council shall prescribe the badge of office and uniform to be worn by the members of the police force.

ARTICLE IX.

FIRE DEPARTMENT.

Sec. 121. The Mayor shall have supervision over the Fire Department, and shall appoint, by and with the consent of the Council, a Chief Engineer, Assistant Chief Engineer, Superintendent of the Fire Alarm System, engineers of steam fire engines, drivers, stokers, hosemen, and all other officers, members, and employes of the Fire Department; and all officers and members shall retain their positions during good behavior, unless removed for cause, or for the improvement of the public service as in this charter provided.

No person shall be appointed to any position in the Fire Department unless he be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident of the city at least two years next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in strength, activity, and intrepidity; and every appointee shall be not less than twenty-one years, or more than forty years of age, and must before being appointed present to the Mayor a certificate from the City Physician that the applicant is in sound health and free from any physical disability that would unfit him for such position.

Sec. 122. The Mayor, in making appointments of officers, members, or employes of the Fire Department, shall be guided solely by the fitness of the applicant, and no person shall ever be appointed to or removed from any position in the Fire Department for or on account of partisanship, or for or on account of his political or religious opinions.

Sec. 123. The Mayor shall exercise general supervision over the Fire Department, and see that the officers, members, and employes faithfully discharge their duties, and that the laws, ordinances, rules, and regulations relating thereto are carried into effect; report to the Council any inefficiency, neglect of duty, or misconduct on the part of any officer, member, or employe in the department that may come to his knowledge; and he shall recommend to the Council the adoption of such ordinances, rules, and regulations as may be calculated to secure greater safety to life and property, and improve the discipline and efficiency of the Fire Department.

Sec. 124. The Council shall have full power and authority over the organization, government, and discipline of the Fire Department; prescribe the duties of the officers, members, and employes; prescribe the uniform and badge of office to be worn by them, and shall have control of all property and equipments pertaining to or belonging to the Fire Department.

The said Council shall make all rules and regulations necessary to secure discipline

and efficiency in the Fire Department, and any officer, member, or employé in said department guilty of violation of such rules and regulations, neglect of duty, disobedience of orders, absence without leave, or conduct injurious to the public peace or welfare, immoral conduct, or breach of discipline, shall be liable to punishment by reprimand, dismissal from the department, forfeiture of pay or the withholding thereof, when found guilty of the offense charged, by the Council, upon a trial held for that purpose; *provided*, that not more than thirty days' pay shall be forfeited or withheld for one offense; *and provided further*, that by affirmative vote of three members of the Council, any officer, member, or employé of the Fire Department may be dismissed at any time without trial, when in the judgment of said Council the public service or efficiency of the department will be improved thereby.

SEC. 125. No officer, member, or employé in the Fire Department shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, or take part in any general or primary election, except to vote; and any officer, member, or employé in said department violating any of the provisions of this section shall forfeit his position.

SEC. 126. The Chief Engineer shall be the executive officer of the Fire Department, and it shall be his duty and that of the Assistant Chief Engineer to see that the laws, orders, rules, regulations, and ordinances concerning the department are observed and carried into effect, and he shall also attend to such duties as Fire Warden as may be prescribed by the Council, and see that all laws, orders, regulations, and ordinances to secure protection against fire are enforced.

SEC. 127. The Chief Engineer shall be responsible for the discipline of all officers, members, or employés of the Fire Department, and may suspend any officer, member, or employé for incompetency, insubordination, misconduct, or for any violation of the rules, and regulations of said department, and shall, upon such suspension, promptly certify the fact, with the cause thereof, in writing to the Mayor, who shall forthwith in writing report the same, together with the charges preferred, to the Council for their action.

SEC. 128. The Chief Engineer shall diligently observe the condition and workings of all the apparatus in use by the department, and report thereon in writing at least once in each month to the Council, and make such recommendations or suggestions relative thereto as may to him seem proper or necessary.

SEC. 129. The Chief Engineer shall make an annual report in writing to the Council, on or before the first meeting in January of each year, showing in detail the cost of maintenance and operation of the Fire Department, with the casualties, fatalities, conflagrations which have occurred, the estimated value of property destroyed, and amount of insurance thereon, if any, and a statement of supplies and apparatus received during the year past, and an inventory of all property of whatever kind and nature remaining and belonging to the department, and the condition thereof, together with a list of the probable supplies needed by the department, and an estimate of the amount of money necessary to meet the expenses of the Fire Department during the ensuing year, together with such suggestions and recommendations as may seem to him proper or expedient for the welfare and efficiency of said department.

SEC. 130. The Council may furnish the Chief Engineer with a horse and buggy, and provide for keeping the same.

SEC. 131. In the absence or inability of the Chief, the Assistant Chief Engineer shall attend to and perform all the duties of the Chief Engineer. The Assistant Chief Engineer shall have charge of the corporation house and yard, and custody of all apparatus, appurtenances, and supplies kept therein, and shall receipt for every article received and keep a record of the same in a proper book to be kept for that purpose; and shall take a receipt for every article delivered by him to the department, and make a written report to the Chief Engineer once in each month, or oftener if required, showing in detail such receipts and deliveries, and shall do and perform such other duties as pertain to his office: No article whatever shall be delivered from the corporation house or yard to any officer, member, or employé, except upon an order signed by the Chief Engineer.

SEC. 132. The Chief and the Assistant Chief Engineer, while in the discharge of their duties, shall be vested with all the powers of arrest and detention vested in police officers. The Mayor, by and with the consent of the Council, shall have power to appoint, as necessity requires, a fire police patrol from among the members or employés of the Fire Department.

SEC. 133. The Chief, or in his absence the Assistant Chief Engineer, may, during a conflagration, cause to be cut down or otherwise removed, any building or structure when necessary for the purpose of checking such conflagration.

SEC. 134. Until otherwise provided by the Council, there shall be attached to the Fire Department two steam fire engine companies, each to consist of one foreman, one assistant foreman, one engineer, one driver of engine, one stoker, one driver of hose cart, and eight hosemen. Also one hook and ladder company, consisting of one foreman, one driver, one tillerman, and five hook and ladder men. Also two hose companies, each to consist of one foreman, one assistant foreman, one driver of hose cart, and five hosemen. Also a fire alarm system, to be under the immediate charge of a Superintendent. Nothing in this section shall be so construed as fixing permanently the number of men comprising each company, but the same may be increased or diminished at any time, and may apply to one only, or to all the companies in the department, at the pleasure of the Council.

SEC. 135. The Chief and Assistant Chief Engineers shall devote their entire time to the Fire Department, and shall not engage in any other occupation or business requiring their personal attention; and neither shall absent himself from the city without first obtaining permission from the Mayor in writing, which permit must be filed with the City Clerk; and in no case shall both the Chief and Assistant Chief Engineer be absent at the same time; *and it is further provided*, that the engineers of steam fire engines, the stokers and drivers thereof, also the drivers of hose carts and hook and ladder trucks and tillermen, together with such other members or employes as the Council may from time to time designate, shall devote their entire time to the duties of the department, and shall at all times, day and night, remain at the engine houses or stations, except when granted a leave of absence by the Chief Engineer.

SEC. 136. There shall be provided suitable sleeping-rooms in the several engine houses for the use of the permanent members of the department; and there shall be a general office in one of the department buildings, where the Chief and Assistant Chief Engineers, and Superintendent of the fire alarm system, shall make their headquarters daily during office hours, when not otherwise engaged in official duties.

SEC. 137. There shall also be attached to the Fire Department a fire alarm system, which shall be under the immediate charge of a Superintendent appointed from among the members of the department or its employes. It shall be his duty to report to the Chief Engineer, in writing, at least once a month, the condition and workings of the system; and at any time when such system is not in perfect working order, the Chief Engineer must be immediately and fully advised thereof. The Superintendent shall make such other reports, and perform such other duties as may, from time to time, be prescribed by the Council.

All electric light or power, telegraph, or telephone wires, erected or maintained in this city, shall be subject to the supervision and inspection of said Superintendent, and shall be located, laid, erected, and maintained only in such manner as may be approved by him, and so as not to endanger or interfere with the wires or apparatus of the fire alarm system.

SEC. 138. The Council may, by ordinance, and upon the recommendation of the Chief Engineer, enlarge the Fire Department by the purchase of chemical, electrical, steam, or other engines, hook and ladder trucks, hose carts, horses, hose, and other appurtenances or apparatus; purchase or erect other and necessary buildings; extend the fire alarm system, and increase the number of companies, officers, members, and employes at any time when in the judgment of said Council greater security against fire, loss of life and property demand it.

SEC. 139. Every claim against the Fire Department must first be certified to by the Chief Engineer before being presented to the Council for approval. The monthly pay-roll of the department shall be made up by the Chief, certified to by him, and presented to the City Clerk, who shall verify the same before passing it to said Council for approval.

SEC. 140. The foregoing sections of this article shall not apply to the Fire Department of said city so long as the same remains as now, a volunteer Fire Department.

ARTICLE X.

HEALTH DEPARTMENT.

SEC. 141. There shall be a Health Department under the management of a Board of Health. Said Board shall consist of five members, namely: the Mayor, who shall be ex officio a member and President of said Board, and the City Engineer, who shall be ex officio a member of the Board, and three citizens, who shall be appointed without regard to their political opinions by the Mayor, by and with the consent of the Council. The Mayor shall not have a right to vote unless in case of a tie, when he shall have the right to vote.

Each appointed member of the Board shall be a duly licensed physician in accordance with the laws of the State of California, and a qualified elector of the city for two years immediately preceding his appointment, and shall serve without compensation.

SEC. 142. The term of office of the appointed members of the Board shall be for two years, and until their successors are appointed and qualified, said term to commence upon the second Monday in August; *provided*, that those members first appointed shall so classify themselves, by lot, that one of them shall go out of office at the end of one year, and two at the end of two years. If any appointed member fails to qualify within ten days after his appointment, such appointment shall be void, and a new appointment shall be made.

SEC. 143. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the President, or any three members, and all meetings shall be public. Three members shall constitute a quorum for the transaction of any business.

SEC. 144. Said Board of Health, subject to the ordinances of the city, shall have supervision of all matters pertaining to the sanitary condition of the city and public institutions thereof, and subject thereto; full powers are hereby given to said Board over all questions of foul or defective drainage, of the disinfection and sanitary cleaning of streets, alleys, cellars, cesspools, sewers, or nuisance of any description, and of low places within the city limits, calculated to receive and retain unhealthy deposits.

SEC. 145. The Board of Health shall adopt such forms and regulations for the use of physicians, undertakers, and Superintendents of cemeteries, as in their judgment may be best calculated to secure reliable vital and mortality statistics in said city and prevent the spread of contagious and infectious diseases. They shall have power to prevent or forbid communication with infected families or houses.

SEC. 146. The Council shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt, and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and of this charter shall be provided for by the Council.

SEC. 147. The Board of Health, within two weeks from the time of its organization, shall elect a City Physician, who shall also act as Health Officer and Secretary of the Board of Health. Said City Physician shall not be a member of the Board of Health, and shall be an elector of the city, not less than thirty years of age, a licensed physician of not less than two years, and actually engaged in the practice of his profession therein. He shall hold his office during the pleasure of the Board of Health, and must see that the laws and ordinances of the city in relation to the public health, and the regulations and orders of the Board of Health, are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto, and by himself or his deputy issue all permits for burials or removals in any of the cemeteries, and no interment shall be made therein unless said Health Officer is satisfied of the correctness and reliability of the certificate of death presented for his inspection. He shall have the powers of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

It shall be his duty to examine and inspect all nuisances, privies, vaults, cesspools, buildings, and low places within the city limits with a view to the enforcement of all the laws and regulations relating to sanitary matters, and to cause the arrest of, and vigorously prosecute, all persons violating any of said laws and regulations.

SEC. 148. The City Physician, as Health Officer, shall visit once in each quarter all public buildings and school houses in said city. During such visits he shall examine the manner in which they are lighted, ventilated, and heated, and particularly as to their sanitary condition.

SEC. 149. When a case of smallpox, Asiatic cholera, or yellow fever is reported to the Health Officer, he may visit the premises where the person is, and when satisfied that either of said diseases exist, he shall place a yellow flag or conspicuous notice on said premises, which shall remain during the continuance of the disease on said premises.

SEC. 150. The Health Officer may cause to be removed to a smallpox hospital or pest-house any person in said city affected with smallpox, Asiatic cholera, or yellow fever. When a case of either of said diseases exists in any house, and the person so affected is not moved to said hospital or pesthouse, the Health Officer shall immediately place a quarantine flag on said premises, and may place a competent person in charge thereof, who shall see that a quarantine is strictly enforced so long as public safety requires.

SEC. 151. The Health Officer shall vaccinate, free of charge, all persons applying to him.

SEC. 152. Every member of the Board of Health and the Health Officer may administer oaths on matters connected with the Health Department.

SEC. 153. Every physician in the city shall report to the Health Officer in writing, every patient he shall have sick of typhus, ship, or yellow fever, Asiatic cholera, leprosy, smallpox, diphtheria, or scarlet fever, and every death from such disease immediately after it shall have occurred.

Also, every householder in said city shall forthwith report in writing or otherwise to the Health Officer the name of every inmate of his or her house, whom he or she shall have reason to believe is sick of typhus, ship, or yellow fever, leprosy, cholera, or smallpox, and any deaths occurring at his or her house from such disease.

SEC. 154. The Health Officer shall report to the City Superintendent of Schools of said city the names and residences of every person sick of typhus, ship, or yellow fever, Asiatic cholera, smallpox, leprosy, diphtheria, or scarlet fever, or other contagious disease he may deem dangerous to the city health; and it shall be the duty of the City Superintendent of Schools of said city, when so notified of the residence of any person sick of any of the diseases enumerated, to refuse admittance to the public schools to any member of the family, one or more of whose inmates are sick of any of the foregoing diseases; *provided*, that the parties excluded shall be readmitted upon presenting a certificate from the Health Officer that there is no longer any danger from contagion.

SEC. 155. Whenever it shall be certified to the Board of Health by the Health Officer that any building, or part thereof, is unfit for human habitation by reason of its being so infected with disease, or from other causes, as to be likely to cause sickness amongst its occupants, said Board may issue an order and cause the same to be affixed conspicuously on the building, or front thereof, and to be personally served upon the owner, agent, or lessee, if the same can be found, requiring all persons therein to vacate such building for the reasons to be stated therein, as aforesaid. Such building, or part thereof, shall within ten days thereafter be vacated, or within such shorter time, not less than twenty-four hours, as in said notice may be specified; but said Board, if it should become satisfied that the danger from the building, or part thereof, has ceased to exist, may revoke said order.

SEC. 156. The Board may proclaim such quarantines, and establish and declare such quarantine districts and grounds, and the boundaries thereof, as may, in their judg-

ment, be necessary for the preservation of the public health; and may, when deemed necessary, require all vessels, railroad cars, or other public conveyances, before the same shall land or stop at any landing, depot, or stopping place in the city, to stop or touch at any one either of the districts, grounds, or boundaries so selected and established for quarantine purposes, and leave all such persons, with their stores and baggage, as in the opinion of the Health Officer or physician stationed at such quarantine sites, places, or boundaries shall be deemed proper on account of the existence or general report of Asiatic cholera, smallpox, or yellow fever.

SEC. 157. The said Board shall make such rules and regulations for the government of the quarantine or the health of the city as from time to time they shall deem necessary, and the physicians or Health Officers in charge of any quarantine station or place, shall have power to make and enforce such regulations as may be necessary for the proper management thereof; and it shall be the duty of all persons in quarantine, and all agents, officers, policemen, or others employed by the city in and about said quarantine stations or places, to carry out and obey the same.

SEC. 158. The Board of Health shall cause to be kept a record of all births and deaths occurring in said city; such records must be kept in the Health Office, and shall be open for inspection by any person during office hours. All physicians and midwives in the city shall report to the Health Officer on or before the fifth of each month all births occurring in his or her practice during the previous month.

SEC. 159. No person shall deposit in any cemetery the body of any human being who has died in the city, or remove the same from within the limits of the city, without having first obtained and filed at the Health Office a certificate signed by a physician or Coroner, setting forth as nearly as possible the name, age, sex, color, place of birth, occupation, date, locality, and cause of death of deceased, and obtain from the Health Officer a permit in writing therefor for burial or other purposes. Physicians, when deaths occur in their practice, must give the certificate herein mentioned, unless the physician believes the death to be a proper case for investigation by the Coroner.

No body of a human being who has died within the limits of the city, and no body or remains of a deceased person exhumed or taken from any grave, vault, or other place of burial or deposit, within or without the city, shall be transported in or through the streets or highways of the city, unless the person or persons transporting such body or remains shall first obtain from the Health Officer a permit in writing therefor, which shall accompany the body or remains.

SEC. 160. The permits in the last section may be granted in the discretion of the Board of Health, under such general restrictions and conditions as the Board may prescribe.

The Health Officer shall prepare a book of blank permits, in proper form and consecutively numbered, containing stubs on which, as well as in the permit, shall be entered a record giving the name, age, sex, nativity, place of burial, and destination of remains to be transported or removed.

SEC. 161. In addition to the powers and duties in this article enumerated, the Board shall have such other powers and perform such other duties as may be prescribed by ordinance of the Council, or by general law.

ARTICLE XI.

WATERWORKS DEPARTMENT.

SEC. 162. If at any time the city shall become the owner of any water supply, or shall decide to construct such a system, the Mayor shall appoint, by and with the consent of the Council, two citizens of the city to be Water Commissioners, and they must not belong to the same political party.

The City Engineer shall be ex officio a Water Commissioner. The appointed members shall hold their office for the term of two years; *provided*, that when first appointed they shall be appointed for one and two years, to be designated in the notice of appointment by the Mayor. Their compensation shall be fixed by ordinance by the Council.

SEC. 163. The Water Commissioners shall have full control and management of the water system of the city, and the collection of the revenue thereof, under such regulations by ordinance as the Council may from time to time enact.

All contracts for work and materials must be made by said Commissioners in the manner provided in this charter for making contracts, and approved by the Council. And all pay-rolls and accounts for the same, before being paid by the Council, shall first be passed upon by the Commissioners, who shall thereupon certify them to the Council for payment.

ARTICLE XII.

PUBLIC LIBRARIES.

SEC. 164. There shall be maintained in the City of Eureka free public libraries and reading-rooms, as provided for by an Act of the Legislature of this State entitled "An Act to establish free public libraries and reading-rooms," approved April twenty-sixth, eighteen hundred and eighty, and such other Acts of the Legislature as may be amendatory thereof and supplemental thereto.

SEC. 165. The public library and reading-room created and existing under the provisions of said Act, and known as the "Eureka Free Library," is hereby continued in existence, and shall be free of access to all residents of said city and the general public, subject to such rules and regulations for the government and management thereof as may from time to time be adopted by the Board of Trustees thereof; *provided*, that said Board shall not permit any of its books, journals, publications, or other property to be taken, carried, or removed, by any person, without the limits of said city.

SEC. 166. The Board of Trustees thereof shall consist of five members, one to be elected from each ward, by the qualified electors thereof, at the regular municipal election, and shall hold office for two years, or until their successors are elected and qualified.

ARTICLE XIII.

CONTRACTS.

SEC. 167. The city of Eureka shall not be and is not bound by any contract, or in any way liable thereon, unless the same is made in writing by order of the Council, and the draft thereof approved by the City Attorney and the Council, and the same ordered to be and be signed by the Mayor, or some other person authorized thereto in behalf of the city; but the Council, by an ordinance, may authorize any officer, committee, or agent of the city to bind the city without a contract in writing for the payment of any sum of money not exceeding three hundred dollars. All bonds of any contractors with the city shall be approved by the Council.

ARTICLE XIV.

CLAIMS AND DEMANDS.

SEC. 168. All claims and demands whatever against the City of Eureka, except interest coupons on bonds and bonds of the funded debt, shall be paid only on demands as herein provided for.

SEC. 169. Said demands, except demands payable out of the School Fund and Library Fund, shall be presented to the Council on forms and blanks to be provided by the City Clerk, and shall be referred to its Committee on Finance.

The said committee shall, by indorsement thereon, approve or reject the same, in whole or in part. The Council shall then consider the said demands, and the action of said committee thereon, and shall, if the same be just and legal, approve the same; or may, if it so determine, approve in part or reject the whole. The action of the Council shall be indorsed thereon, with the date of such action, and certified by the signature of the President and City Clerk.

SEC. 170. Any such demand approved by the Council in whole or in part shall be delivered to the Mayor, who shall approve the same in whole or in part, or reject the same, and indorse such approval or rejection thereon, with the date thereof; *provided*, that the Mayor shall have no power to approve a demand for a sum larger than the sum in which it is approved by the Council. If the Mayor approve only in part, and for a less amount than approved by the Council, or reject any such demand, he shall return the same to the City Clerk, with his objections in writing attached thereto.

SEC. 171. All demands approved by the Mayor for the same amount as approved by the Council shall by him be delivered to the City Clerk, who shall thereupon draw a warrant therefor upon the City Treasury, and which shall be signed by the Mayor and countersigned by the City Clerk.

SEC. 172. Any demands returned to the City Clerk with the objection of the Mayor, shall again be considered by the Council, and if it shall again be approved by the Council by the same vote, and taken, recorded, and indorsed in the same manner as hereinbefore required, the said objection shall be thereby overruled. Any demand the objection to which of the Mayor has been overruled, shall be delivered to the City Clerk, who shall draw a warrant therefor, as if the same had been approved by the Mayor; if the Mayor object only to a portion of such demand, and such objection thereto shall be sustained by the Council, the same shall thereby be delivered to the City Clerk for his action thereon as hereinbefore provided.

SEC. 173. No demand can be approved, audited, or paid unless it specify each several item, with the date and amount thereof, or unless it be subscribed by the claimant or by his, her, or its agent, and sworn to before some officer authorized to administer oaths.

SEC. 174. No payment can be made from the City Treasury, or out of the public funds of said city, unless the same be specially authorized by law or this charter, nor unless the demand which is paid be duly audited as in this charter provided. The term "audited," as used in this charter with reference to the demands upon the Treasury, is to be understood to mean that said demands have been presented to, passed upon, and approved as herein provided, and this must appear upon the face of the paper representing the demand, or else it is not audited; *provided*, that the approval or rejection, in whole or in part, of a demand by the Committee on Finance of the Council, is advisory only to the Council, and the rejection by said committee of a demand, in whole or in part, does not of itself prevent its being duly audited.

SEC. 175. No demand upon the Treasury shall be allowed in favor of any person or officer in any manner indebted thereto, without first deducting the amount of such

indebtedness, nor to any person or officer having the collection, custody of, or disbursement of public funds, unless his account has been duly presented, passed, approved, and allowed, as required by law or this charter; nor in favor of any officer who shall have neglected to make his official returns, or his reports in writing, in the manner and at the time required by law or this charter, or by the ordinances or regulations made in pursuance thereof, nor to any officer who shall have neglected or refused to comply with any of the provisions of this charter or ordinances of the city, or any Act of the Legislature regulating the duties of such officer, on being required in writing to comply therewith by the Mayor or the President of the Council; nor in favor of any officer for the time he shall have absented himself, without lawful cause, from the duties of his office during the office hours prescribed by this charter or by ordinance.

SEC. 176. The City Clerk must number and keep a record of all demands on the Treasury which have been duly approved, showing the number, date, amount, and name of the original and present holder, on what account allowed, and out of what fund payable.

SEC. 177. Every lawful demand upon the Treasury, duly audited as in this charter required, shall in all cases be paid on presentation and canceled and the proper entry thereof be made, if there be sufficient money in the Treasury belonging to the fund out of which it is payable; but if there be not sufficient money belonging to said fund to pay such demand, then it shall be registered in a book to be kept by the Treasurer for that purpose, showing its number, when presented, date, amount, name of original holder and on what account allowed, and out of what fund payable, and being so registered, shall be returned to the party presenting it, with an indorsement of the word "Registered," dated and signed by the City Treasurer. All registered demands shall be paid in the order of their registration.

SEC. 178. All public moneys collected by any officer or employé of the city shall be paid into the City Treasury, without any deduction on account of any claim for fees, commissions, or any other cause or pretense, and the compensation of any officer, employé, or other person so collecting money, shall be paid by demands upon the Treasury, duly audited as other demands are audited and paid.

SEC. 179. No suit shall be brought upon any claim for money or damages against the City of Eureka, its Board of Education, or the Board of Trustees of the Eureka Free Library, until a demand for the same has been presented as herein provided, and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole.

Nor shall suit be brought against said city upon any such claim, or demand, if the same shall be in whole approved and audited as provided herein; *provided*, that nothing herein contained shall be construed so as to deprive the holder of any demand of his right to resort to a writ of mandate, or other proceedings, against the said Council, or any Board or officer of said city, to compel it, or him, to act upon such demand or claim, or to pay the same when so audited.

ARTICLE XV.

MISCELLANEOUS PROVISIONS.

SEC. 180. All grants of franchises or privileges by the Council shall be awarded to the highest bidder in pursuance of the general laws of said State; nor shall any such franchises or privileges have any validity unless the person or persons to whom the same is made shall, within six months thereafter, actually and in good faith, and not colorably, commence the exercise or enjoyment of the same; *provided*, that where condemnation of property is necessary, condemnation proceedings commenced and diligently prosecuted shall be deemed the exercise of the franchise or privilege.

Whenever any franchise or privilege shall have been in disuse, in whole or in part, for the period of one year, there being no legal impediment to the use thereof, it shall be deemed abandoned and forfeited to the extent of such disuse, and said franchise or privilege, or the part thereof so in disuse, shall no longer be used or enjoyed. When in the exercise of any franchise or privilege, use has been made in any way of any street or alley of the city, such street or alley shall be put in good repair, and all the materials or obstructions which have been placed therein in the exercise of such franchise or privilege, shall be removed therefrom at the expense of the person or company who has held such franchise or privilege, whenever the franchise or privilege is abandoned or falls into disuse.

SEC. 181. Any person, except as otherwise in this charter provided, holding a salaried office under this city, whether by election or appointment, who shall during his term of office hold or retain any office of profit or emolument under the Government of the United States or of this State, or who shall hold any other office connected with the city, or with the county of Humboldt, shall be deemed thereby to have vacated the office held by him under the city government.

SEC. 182. No member of the Council, and no officer or employé of the city, shall be or become directly or indirectly interested in, or with the performance of any contract, work, or business, or in the sale of any article, the expense, price, or consideration of which is payable from the City Treasury, or in the purchase or lease of any real estate or property belonging to or taken by the city, or which shall be sold for taxes, or assessments, or by virtue of legal process at the suit of the city. Any member of the Council,

or any officer or employé of this city violating the provisions of this section, or who shall be directly or indirectly interested in any franchise, right, or privilege granted by the city while he is such officer, member, or employé, unless the same shall devolve upon him by law, shall forfeit his office, and be forever disqualified from holding any position in the service of the city; and all contracts made, or rights of franchises granted in violation of this section shall be absolutely void.

SEC. 183. No officer of the city shall be or become a surety on any bond given to the city, or to any person for the benefit of the city; nor shall any officer or employé of the city give or promise to give any person any portion of his compensation, or any money, or thing of value, or any position, in consideration of having been or being nominated, appointed, voted for, or elected to any office or employment under the city.

No officer of the city shall, while in office, accept any donation or gratuity in money or anything of value, either directly or indirectly, from any subordinate employé, or from any candidate or applicant for any position under him. Any person violating the provisions of this section shall forfeit his office and employment under the city, and be forever disqualified from holding any position in the service of the city.

SEC. 184. All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Copies and extracts from such books and records, duly certified, shall be given by the officer having the same in custody, to any person demanding the same, upon paying or tendering ten cents per folio of one hundred words.

SEC. 185. No office shall be created in addition to those provided for by this charter, unless by ordinance regularly adopted by the Council. Whenever in the judgment of the Council no necessity exists for the continuation of any appointive office created or provided for by this charter, said Council, by an ordinance for that purpose, may discontinue such office.

SEC. 186. All officers, deputies, clerks, assistants, and other employés of the city, and of the several departments thereof, must be citizens of the United States, and during their respective terms of office or employment must, with the exception of the City Superintendent of Schools, and teachers of the public schools, reside in the city, and where not otherwise provided for, must have been residents of the city one year next preceding their election or appointment. They, and each of them, shall perform such duties as may be required of them, respectively, by law, ordinance, or this charter, and shall only receive such compensation as may have been previously provided, and such compensation shall not be increased during the term of their respective offices or employment, except as in this charter provided.

SEC. 187. If any officer of the city shall remove from the city, or absent himself therefrom for more than thirty days, consecutively, without the permission of the Council, or shall fail to qualify by taking the oath of office and filing his official bond, whenever such official bond is required, within the time required by this charter, or shall resign, or be convicted of felony or of malfeasance in office, or be adjudged insane, his office shall be and become vacant, and such vacancy shall be filled as in this charter provided.

SEC. 188. All books, papers, plats, charts, records, files and stationery, made or made use of, by any officer or employé of the city, in the performance of his official duties, shall be deemed and considered as belonging to the city, and shall be delivered to his successor in office, who shall give duplicate receipts in writing therefor, one of which receipts shall be filed with the City Clerk.

SEC. 189. No officer or employé in any department of the city government shall ever be appointed or removed for or on account of partisanship, or for or on account of his political or religious opinions.

SEC. 190. No Chinese shall ever be employed, either directly or indirectly, on any work of the city, or in the performance of any contract or sub-contract of the city, except in punishment for crime. Nor shall any provisions, supplies, materials, or articles of Chinese manufacture or production ever be used or purchased by or furnished to the city.

SEC. 191. All improvements, actions, proceedings, matters, and things not otherwise provided for in this charter shall be taken, had, and conducted under and in pursuance of the provisions of the laws of the State of California applicable thereto, in force at the time such improvements, actions, proceedings, matters, and things are taken and had.

SEC. 192. Whenever special meetings are called by the Council, Board of Education, or any other Board of the municipality, notice thereof shall be served on each member personally or by mail, addressed to him, at his place of residence; if by mail, the notice, postpaid, shall be deposited in the Post Office of the city, at least twenty-four hours before the time of meeting. At such special meeting, no subject shall be considered except that specified in the notice.

SEC. 193. It shall not be necessary, in any action, civil or criminal, to plead or prove the organization or existence of the corporation of the City of Eureka, nor the passage, existence, or validity of any ordinance, rule, resolution, or other regulation thereof, but the Court before which the proceedings shall be pending shall take judicial notice of this charter and of such ordinance, rule, resolution, or other regulation and of the contents thereof, without proof, unless their validity is assailed, when the burden of proof shall be on the party assailing the same; and in all civil actions to which the city, or any officer of the city, is a party, either plaintiff or defendant, the adoption and contents of any ordinance, rule, resolution, or other regulation of the Council may be proven *prima facie* by the introduction of the original entry thereof on the records of the Council, by a copy thereof certified by the City Clerk to be a full, true, and correct

copy of such original entry, or by the introduction of a printed copy published or purporting to have been published by authority.

SEC. 194. All ordinances, rules, resolutions, and other regulations of the City of Eureka, in force at the time this charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed. All officers of the city heretofore existing shall, unless expressly continued in force by this charter, cease to exist at the time that this charter takes effect, and shall be supplanted by the officers herein provided for, and the incumbents of the offices so abolished shall surrender to the officers having like powers and duties, as provided by this charter, all moneys, bonds, contracts, books, accounts, records, files, furniture, and property of the offices so abolished. No business pending before any department or officer of the city at the time this charter takes effect shall be considered as lost, discontinued, or abandoned by reason thereof, but the same may be taken up, continued, transacted, and completed before the proper department or officer provided for by this charter.

SEC. 195. The Council of the present City of Eureka shall provide for the holding of the first election of officers under this charter; shall canvass the vote, declare the result, and approve the bonds of all officers elected at such election.

SEC. 196. For the sole purpose of the election and qualification of the officers directed by this charter to be elected at the general municipal election, this charter shall take effect immediately after its approval by the Legislature, and such election shall be managed and conducted in accordance with the general election laws of the State. For all other purposes this charter shall take effect on the second Monday of July, eighteen hundred and ninety-five.

CERTIFICATE.

Be it known, that the City of Eureka, a city containing a population of more than three thousand five hundred and less than ten thousand inhabitants, on the eighteenth day of June, eighteen hundred and ninety-four, at a regular election, and under and in accordance with the provisions of section eight, article eleven, of the Constitution of the State of California, did elect Peter Belcher, Josiah Bell, H. H. Buhne, Jr., J. S. Connick, David Evans, Franklin Ellery, W. H. H. Heckman, W. L. Heney, H. W. McClellan, W. H. McWhinney, A. J. Monroe, N. H. Pine, Denver Sevier, Henry Sevier, and E. W. Wilson a Board of fifteen Freeholders, to prepare and propose a charter for said city; and we, the members of said Board, in pursuance of said provision of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, consisting of fifteen articles and one hundred and ninety-six sections, as and for the charter of the said City of Eureka.

In witness whereof, we have hereunto set our hands this thirteenth day of September, Anno Domini one thousand eight hundred and ninety-four. Done in duplicate.

PETER BELCHER.
JOSIAH BELL.
H. H. BUHNE, JR.
JOHN S. CONNICK.
DAVID EVANS.
FRANKLIN ELLERY.
W. H. H. HECKMAN.
W. L. HENEY.
H. W. MCCLELLAN.
WM. H. MCWHINNEY.
A. J. MONROE.
N. H. PINE.
DENVER SEVIER.
HENRY SEVIER.
E. W. WILSON.

Attest: FRANKLIN ELLERY, Secretary.

STATE OF CALIFORNIA, / ss.
County of Humboldt. }

I, C. G. Stafford, Mayor of the City of Eureka, hereby certify that the foregoing charter is one of the duplicate copies of the same delivered to me as stated in the preamble attached to and preceding said charter; that all the statements of said preamble are true.

C. G. STAFFORD,
Mayor of the City of Eureka.

Attest: W. G. BONNER, City Clerk of City of Eureka.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (the majority of all members elected to each house voting for and concurring therein), That said charter of the City of Eureka as presented to, and adopted and ratified by, the qualified electors of said city be and the same is hereby approved as a whole, for and as the charter of the said City of Eureka aforesaid.

CERTIFIED COPY OF PARTS OF MINUTES OF THE COMMON COUNCIL OF THE CITY OF EUREKA, BEING THOSE PARTS THAT RELATE TO THE NEW CITY CHARTER.

[Book C, p. 558.]

COUNCIL CHAMBERS, CITY OF EUREKA, CAL.,
MONDAY, May 7, 1894. }

The Common Council of the City of Eureka met in regular monthly session on the above date.

Present—Hon. L. T. Kinsey, Mayor, presiding, and Councilmen Heney, McIntosh, Sevier, and Clark. Absent—Councilman Pine.

[Book C, p. 559.]

Petition for the election of fifteen Freeholders to frame a new city charter.

A petition was received numerously signed, praying that in the proclamation calling the next municipal election, that the proclamation call for the election of fifteen duly qualified Freeholders to frame a new city charter.

Petition referred, to be considered under new business.

[Book C, p. 562.]

Council adjourned to Tuesday, May 8th, at 8 o'clock P. M.

L. T. KINSEY, Mayor

Attest: JAMES T. KELEHER, Clerk.

[Book C, p. 563.]

COUNCIL CHAMBERS, CITY OF EUREKA, CAL.,
TUESDAY, May 8, 1894. }

The Common Council of the City of Eureka met on the above date pursuant to adjournment.

Present—Hon. L. T. Kinsey, Mayor, presiding, and Councilmen Heney, Pine, Sevier, and Clark. Absent—Councilman McIntosh.

Petition to elect Freeholders granted.

In the matter of the petition to call for the election of fifteen duly qualified Freeholders to frame a new city charter. The Council having given said petition due consideration, on motion, the prayer of said petition was granted.

Ordinance No. 170, entitled an ordinance regulating the holding of a general election in and for the City of Eureka, to be held on Monday, June 18, 1894, presented, read and, on motion, adopted, and ordered published for thirty days, when approved by the Mayor.

[Book C, p. 564.]

L. T. KINSEY, Mayor.

Attest: JAMES T. KELEHER, City Clerk.

[Book C, p. 575.]

COUNCIL CHAMBERS, CITY OF EUREKA, CAL.,
MONDAY, July 2, 1894. }

The Common Council of the City of Eureka met in regular monthly session on the above date.

Present—Hon. L. T. Kinsey, Mayor, presiding, and Councilmen Heney, Pine, Sevier, McIntosh, and Clark—a full board.

[Book C, p. 578.]

This being the time established by law to canvass the vote polled at the general city election held in and for the city on the eighteenth day of June, 1894, and all the returns having been received and filed, the Council proceed to open and canvass the returns, and find as follows:

[Book C, p. 579.]

And it appearing that C. G. Stafford had received the highest number of votes for the office of Mayor; and Peter Belcher, Josiah Bell, H. H. Buhne, Jr., John S. Connick, F. Ellery, David Evans, W. H. H. Heckman, W. L. Heney, A. J. Monroe, H. W. McClellan, W. H. McWhinney, N. H. Pine, Henry Sevier, Denver Sevier, and E. W. Wilson, for the offices of Freeholders.

On motion, it is

Resolved, That said persons be and they are hereby declared duly elected to the respective offices named for the term established by law; and the Clerk is hereby ordered and directed to issue to each of said persons a certificate of election, under seal of the city.

[Book C, p. 605.]

COUNCIL CHAMBERS, EUREKA,
September 14, 1894. }

A regular meeting of the Common Council was held on above date.

Present—Hon. C. G. Stafford, Mayor, presiding, and Councilmen Sevier, J. S. Brown, Dodge, Thomas Brown, and Marshall.

Mr. Mayor, the Board at this time submitted to the Council the new charter submitted by the Board of Trustees, and as before at 1 o'clock the Council adjourned until further adjourned to be held at the "City Council Chamber" for Tuesday night, the Council adjourned to a subsequent date.

There being no further business the Council adjourned.

J. A. STAFFORD, Mayor

JOHN W. A. BOWEN, City Clerk

JOHN W. A. BOWEN

JOHN W. A. BOWEN, City Clerk
January 26, 1896.

A special meeting of the Council was held at 10:30 A.M. on Tuesday, January 26, 1896, for the purpose of considering and discussing the new charter submitted by the Board of Trustees. The Council was organized by the Mayor, the question of adjournment being first taken up. It was decided by the Council to adjourn at 10:30 A.M. on Tuesday, January 26, 1896, and the Council adjourned until the next meeting of the Council, to be held at 10:30 A.M. on Tuesday, January 26, 1896, for the purpose of considering and discussing the new charter submitted by the Board of Trustees. The Council adjourned until the next meeting of the Council, to be held at 10:30 A.M. on Tuesday, January 26, 1896, for the purpose of considering and discussing the new charter submitted by the Board of Trustees.

J. A. STAFFORD, Mayor

JOHN W. A. BOWEN, City Clerk

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There being no further business the Council adjourned.

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There being no further business the Council adjourned.

J. A. STAFFORD, Mayor

JOHN W. A. BOWEN, City Clerk

JOHN W. A. BOWEN, City Clerk

JOHN W. A. BOWEN, City Clerk

mon Council, containing six pages, and that the same is a true and faithful copy of all of the said minutes that relate or pertain to the election of Freeholders to frame a city charter, the publication of the same, and the final ratification thereof, and includes all matters respecting said charter that appear on said minutes.

W. G. BONNER.

Subscribed and sworn to before me, this first day of February, 1895.

[SEAL.] A. J. MONROE,
Notary Public in and for said county.

ELECTION NOTICE—NEW CITY CHARTER.

In pursuance of an order of the Common Council of the City of Eureka, and of Ordinance No. 184 of said city, notice is hereby given that a special election will be held in said city on Saturday, January 26, 1895, for the purpose of submitting the charter framed by fifteen Freeholders to the qualified electors of said city. The polls shall be opened at sunrise, and closed at five o'clock p. m. of said January 26, 1895, in the following places:

First Precinct—Polls at 220 Second Street.

Second Precinct—Polls in the City Hall, Third Street, between F and G Streets.

Third Precinct—Polls at school-house, corner of Fifth and M Streets.

Fourth Precinct—Polls at school-house, corner of Fourth and S Streets.

Fifth Precinct—Polls at school-house, corner of Eleventh and G Streets.

Sixth Precinct—Polls at No. 1625 G Street.

Seventh Precinct—Polls at school-house, corner of A and Grant Streets.

Eighth Precinct—Polls at school-house, corner of Sixth and D Streets.

Ninth Precinct—Polls at school-house, Porter and C Streets.

Tenth Precinct—Polls at school-house, California and Pratt Streets.

EUREKA, January 8, 1895.

C. G. STAFFORD, Mayor.

Attest: W. G. BONNER, City Clerk.

STATE OF CALIFORNIA,
County of Humboldt. } ss.

W. G. Bonner, being first duly sworn, deposes and says: That he is the regularly appointed, acting, and qualified City Clerk of the City of Eureka; that as such City Clerk, in accordance with the previous direction of the Common Council of said city, he caused the notice, of which a copy is foregoing, to be published for more than fifteen days after the date thereof, and before January 26, 1895, in the "Daily Humboldt Standard," a paper published daily in said city.

W. G. BONNER.

Subscribed and sworn to before me, February 1, 1895.

[SEAL.] A. J. MONROE,
Notary Public in and for said Humboldt County.

STATE OF CALIFORNIA,
County of Humboldt. } ss.

J. F. Thompson, being first duly sworn, deposes and says: That he is a citizen of the United States and over twenty-one years of age; that he resides at the City of Eureka, county of Humboldt, State of California; that he is the President and Managing Editor of the Standard Publishing Company, a corporation which publishes the "Daily Humboldt Standard," daily, at the City of Eureka, and has so done at all the times herein-after mentioned; that the city charter framed by fifteen Freeholders of said city of Eureka, elected for that purpose on June 18, 1894, at a general municipal election held in said city, and delivered to the Mayor of said city by said freeholders on September 14, 1894, being the same charter ratified by said city at an election held on January 26, 1895, was published in full as the same was framed by said Freeholders and delivered to said Mayor, twenty-one times, in the said "Daily Humboldt Standard," commencing on October 4, 1894, and continuing in each successive issue of said "Standard" as the same was issued, until the said twenty-one publications were completed.

J. F. THOMPSON.

Subscribed and sworn to before me this first day of February, 1895.

[SEAL.] A. J. MONROE,
Notary Public in and for said Humboldt County.

ORDINANCE No. 184.

TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF EUREKA, AT A SPECIAL ELECTION,
THE QUESTION OF THE ADOPTION OR REJECTION OF A CHARTER FOR CITY
OF EUREKA.

WHEREAS, The City of Eureka is now and at all times herein referred to was a city containing a population of more than thirty-five hundred and less than ten thousand inhabitants; and whereas, at a general municipal election duly held in said city on June 18, 1894, in accordance with law and with the provisions of section eight of article eleven of the Constitution of California, a Board of fifteen Freeholders, duly qualified, was duly elected in and by said city and by the qualified electors thereof, to prepare and propose a charter for said city; which said Board of fifteen Freeholders did within the ninety days next after such election, prepare and propose a charter for said city; which said charter was, on the thirteenth day of September, 1894, signed in duplicate by a majority of the members of said Board of Freeholders, and was on said last named day returned, one copy thereof to the Mayor of said city, and the other copy thereof to the Recorder of the county of Humboldt, State of California; and whereas, such proposed charter was then published in a daily newspaper of general circulation in said city, to wit: the "Daily Standard," for more than twenty days, the first publication thereof having been made within twenty days after the completion of said charter; and whereas, more than thirty days have elapsed since the publication of said charter.

Now therefore, the Common Council of the City of Eureka do ordain as follows:

SECTION 1. A special election shall be held in the City of Eureka, State of California, on the twenty-sixth day of January, 1895, for the purpose of submitting said charter to the qualified electors of said city.

SEC. 2. The tickets to be used at such special election shall contain in separate lines the words:

For ratification of Charter—Yes.

For ratification of Charter—No.

SEC. 3. The polls shall be opened at the several voting precincts hereinafter named, at sunrise of said day, and closed at five o'clock P. M. of said day.

SEC. 4. That for the purpose of said election the following Boards of Election and the places within the several precincts where the polls must be opened, be and they are hereby appointed and established as follows, to wit:

First Ward—First Precinct.—Inspectors, Ed. McLaughlin and U. W. Christie; Judges, H. A. Swartz and W. H. Rowell; Clerks, Ed. Kramer and A. Jordahl; Ballot Clerks, Jno. O'Neil and Jesse Copeland. Polls at 220 Second Street, in said city.

First Ward—Second Precinct.—Inspectors, J. M. Sass and D. E. Gordon; Judges, F. A. Clendenin and J. Thorpe; Clerks, N. Bullock and L. L. Ayers; Ballot Clerks, P. E. Parker and H. Ohman. Polls in the City Hall, Third Street, between F and G Streets, in said city.

Second Ward—Third Precinct.—Inspectors, W. Q. Morrison and T. O'Donald, Sr.; Judges, Cliff Connick and Sam Baxter; Clerks, L. K. Wood and H. N. Nichols; Ballot Clerks, C. T. McKay and J. F. Coonan. Polls at school-house, corner Fifth and M Streets, in said city.

Second Ward—Fourth Precinct.—Inspectors, J. N. Pine and E. M. Rutledge; Judges, T. A. Burke and C. D. Shuffleton; Clerks, M. W. Stringfield and C. C. Marshall; Ballot Clerks, C. J. Janssen and Chas. Hill. Polls at school-house, corner of Fourth and S Streets, in said city.

Third Ward—Fifth Precinct.—Inspectors, Fred Axe and Ben Moore; Judges, J. R. Forsey and S. W. Ross; Clerks, E. C. Bonstell and C. H. Elsner; Ballot Clerks, J. McLaren and H. A. Poland; Polls at school-house, Eleventh and G Streets, in said city.

Third Ward—Sixth Precinct.—Inspectors, T. R. Hanna and C. J. Christie; Judges, J. Chase and W. J. Taggart; Clerks, W. A. Vance and C. T. Harmon; Ballot Clerks, M. F. Wolford and J. G. Murray. Polls at No. 1625 G Street.

Fourth Ward—Seventh Precinct.—Inspectors, C. M. Armstrong and R. Duffy; Judges, J. McIsaacs and Chas. Hess; Clerks, J. Scanlon and W. F. Huestis; Ballot Clerks, Joe Simpson and John Burke. Polls at school-house, on A and Grant Streets.

Fourth Ward—Eighth Precinct.—Inspectors, T. Baird and Ed. Ruscoe; Judges, Wm. O'Neil and J. R. Baird; Clerks, D. Cutton and S. I. Allard; Ballot Clerks, Fred. Hansen and J. Barry. Polls at school-house, corner Sixth and D Streets, in said city.

Fifth Ward—Ninth Precinct.—Inspectors, S. N. Bell and N. D. Hulse; Judges, Robert Hartford and R. J. Bugbee; Clerks, A. T. Crane and M. F. Gillett; Ballot Clerks, R. W. Hutchings and B. C. Wing. Polls at school-house, Porter and C Streets, in said city.

Fifth Ward—Tenth Precinct.—Inspectors, C. M. L. Howard and J. H. Harvey; Judges, A. C. McArthur and W. P. McCormick; Clerks, J. D. Grahame and H. L. Douglas; Ballot Clerks, J. W. Bryant and T. H. Wellock. Polls at school-house, California and Pratt Streets, in said city.

SEC. 5. Said election shall be conducted in the manner prescribed by the laws of the State of California.

SEC. 6. This ordinance shall take effect immediately after its approval by the Mayor.

Adopted December 24, 1894.

Approved December 24, 1894.

Attest: W. G. BONNER, City Clerk.

C. G. STAFFORD, Mayor.

STATE OF CALIFORNIA, }
County of Humboldt. } ss.

W. G. Bonner, being first duly sworn, deposes and says: That he is now, and at all times hereinafter mentioned, was the regular appointed, acting, and qualified City Clerk of the City of Eureka, in Humboldt County, State of California; that the foregoing Ordinance 184 was regularly passed by the Common Council of said City of Eureka, and published in the "Daily Humboldt Standard," a daily paper published in said city, more than ten times after its passage and before January 26, 1895, and in accordance with the ordinances of said city; that the printed copy of said ordinance foregoing is a true copy of the said ordinance as the same appears engrossed on the Ordinance Book of said city, and as the same was passed by the Common Council and approved by the Mayor thereof.

W. G. BONNER.

Subscribed and sworn to before me this first day of February, 1895.

[SEAL.] A. J. MONROE,
Notary Public in and for said county of Humboldt.

The roll was called, and Senate Concurrent Resolution No. 6 was adopted, and the charter as a whole approved by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McAllister, McGowan, Orr, Seawell, Shine, Simpson, Smith, Toner, and Voorheis—24.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 4, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Also: Senate Bill No. 317—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Also: Senate Bill No. 322—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 288—An Act to amend section three thousand five hundred and thirty-five of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Also: Senate Bill No. 277—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the payment of judgments docketed.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Irrigation and Water Rights.

Also: Senate Bill No. 369—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of collections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds"—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Hospitals.

Also: Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Senate Bill No. 159, number one hundred and fifty-three on file.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be substituted on file for Senate Bill No. 217, number eighty-four on file.

Also: Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section two thousand nine hundred thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted on the file for Senate Bill No. 177, number forty-nine on file.

Also: Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Senate Bill No. 216, number ninety-two on file.

Also: Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass; that it be substituted for Senate Bill No. 181, number fifty-six on file.

Also: Senate Bill No. 205—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one hundred and eighty-one of said Act, relative to distances from the county seat of San Diego County—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 231—An Act to give legal standing to and provide for the licensing of public accountants.

Also: Senate Bill No. 232—An Act providing for the election of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salary of each of said Judges.

Also: Senate Bill No. 234—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

Also: Senate Bill No. 244—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Also: Senate Bill No. 256—An Act to amend section fourteen hundred and one of the Civil Code, relative to the disposition of and succession to community property derived by surviving husbands upon the death of the wife.

Also: Senate Bill No. 260—An Act to amend section three hundred and sixty-eight of the Political Code, relative to appointment of executive officers by the Governor.

Also: Senate Bill No. 273—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relating to witnesses before grand juries.

Also: Senate Bill No. 276—An Act to amend section fourteen hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of fifteen hundred dollars.

Also: Senate Bill No. 278—An Act relating to the trial of actions for a divorce.

Also: Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary; and to appropriate money therefor.

Also: Senate Bill No. 112—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Also: Senate Bill No. 319—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered two hundred and eighty-eight and two hundred and eighty-nine, to punish the crime of open and notorious cohabitation and adultery.

Also: Senate Bill No. 321—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Also: Senate Bill No. 323—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Also: Senate Bill No. 335—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a grand jury.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 395—An Act to diminish the number of Judges of the Superior Court of this State in and for the county of Tulare.

Also: Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Also: Senate Bill No. 222—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight, of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State land.

Also: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Also: Senate Bill No. 316—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgage of personal property.

Also: Senate Bill No. 324—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Also: Senate Bill No. 333—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Also: Senate Bill No. 334—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Also: Senate Bill No. 336—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same.

Also: Senate Bill No. 343—An Act to amend section one thousand four hundred and seventy-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 287—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California.

Also: Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent, interest parties, discharge of executors or administrators.

Also: Senate Bill No. 403—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prison, and bringing articles into the State Prisons.

Also: Senate Bill No. 303—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-six of the Code of Civil Procedure of the State of California, relating to attachments.

Also: Senate Bill No. 341—An Act to amend section two hundred and eighteen of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 311—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section one thousand two hundred and sixty-nine, relating to elections.

Also: Senate Bill No. 350—An Act to add a new article to chapter one of title two, part three of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Also: Senate Bill No. 364—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties, of this State to use patented automatic voting or ballot machines at all elections therein.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Elections.

Also: Senate Bill No. 315—An Act to amend section one thousand six hundred and fifty-one of the Political Code of the State of California, relating to the duties and compensation of clerks of school districts—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education and Public Morals.

McGOWAN, Chairman.

Senate Bills Nos. 275, 317, and 322 re-referred to Committee on City, City and County, and Town Governments.

Senate Bill No. 288 re-referred to Committee on Public and Swamp and Overflowed Lands.

Senate Bills Nos. 199 and 277 re-referred to Committee on Irrigation and Water Rights.

Senate Bill No. 369 re-referred to Committee on Hospitals.

Assembly Bills Nos. 35, 11, 27, 9, and 14, and Senate Bills Nos. 205, 231, 232, 234, 235, 244, 256, 260, 273, 276, 278, 284, 112, 319, 321, 323, 335, 395, 233, 222, 250, 316, 324, 333, 334, 336, 343, 287, 280, 403, 303, and 341 ordered on file.

Senate Bills Nos. 311, 350, and 364 re-referred to Committee on Elections.

Senate Bill No. 315 re-referred to Committee on Education and Public Morals.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Voorheis: Senate Bill No. 602—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

SENATE CHAMBER, SACRAMENTO, February 4, 1895.

MR. PRESIDENT: The undersigned, Chairman of the Committee on Harbors, Rivers, and Coast Defenses, acting in accordance with a request of Governor Budd, and by the permission of the Senate, visited the harbor of San Francisco on the first instant, and now presents his account for mileage, as follows: Senator Gleaves, one hundred and sixty-eight miles, sixteen dollars and eighty cents; therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. M. Gleaves, Chairman, for the sum of sixteen dollars and eighty cents, as per above statement, said warrant to be so drawn upon the Contingent Fund of the Senate, and the Treasurer is directed to pay the same.

GLEAVES, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Tuesday, February 5, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 5, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be col-

lected by the Clerk of the Supreme Court of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Senate Bill No. 379.

Also: Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be substituted for Senate Bill No. 287, number two hundred and twenty-three on file.

Also: Senate Bill No. 420—An Act to amend an Act entitled an Act to establish a Penal Code, relating to the crime of rape.

Also: Senate Bill No. 459—An Act to amend section three hundred and eight of the Penal Code of California, relating to the sale or furnishing of tobacco, or preparations of tobacco, to persons under sixteen years of age.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Also: Senate Bill No. 279—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to making deeds to property sold for taxes, giving notice thereof, and directing the State Controller to act for the State.

Also: Senate Bill No. 382—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 66—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Also: Senate Bill No. 176—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title.

Also: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Also: Senate Bill No. 384—An Act to amend section sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the solemnizing of marriage.

Also: Senate Bill No. 385—An Act to amend section one thousand and thirty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit brought.

Also: Senate Bill No. 386—An Act to amend sections three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property.

Also: Senate Bill No. 387—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Also: Senate Bill No. 401—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure.

Also: Senate Bill No. 408—An Act to amend section three thousand and two of the Civil Code of the State of California, relating to pledge.

Also: Senate Bill No. 414—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Also: Senate Bill No. 453—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Also: Senate Bill No. 425—An Act to amend section one thousand six hundred and twenty-four of the Civil Code, relating to the manner of creating contracts.

Also: Senate Bill No. 451—An Act to authorize payment for service rendered in county of tenth class, now in thirteenth class.

Also: Senate Bill No. 455—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relating to letters of administration.

Also: Senate Bill No. 466—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 145—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent traveling on railroads without payment of fare.

Also: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Senate Bill No. 338—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

Also: Senate Bill No. 381—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of

disestablishing such law libraries, such new section to be numbered fourteen and one half.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Also: Senate Bill No. 409—An Act to amend section seventeen of the Political Code, relative to certain words and what they include.

Also: Senate Bill No. 410—An Act to amend section fourteen of the Civil Code, relating to certain terms defined.

Also: Senate Bill No. 411—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Also: Senate Bill No. 412—An Act to amend section seven of the Penal Code, relating to certain words and what included in definition.

Also: Senate Bill No. 500—An Act regulating presumptions on appeals.

Also: Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Also: Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections three hundred and ninety-seven and three hundred and ninety-eight thereof, relative to place of trial.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 454—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Mines and Mining.

Also: Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 483—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Elections.

Also: Senate Bill No. 397—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to add two new sections, to be known as sections two thousand six hundred and forty and two thousand six hundred and forty-four, all of the Political Code of the State of California, and relating to the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Roads and Highways.

McGOWAN, Chairman.

Assembly Bills Nos. 145 and 4, and Senate Bills Nos. 420, 459, 209, 279, 382, 66, 176, 208, 384, 385, 386, 387, 401, 408, 414, 453, 425, 451, 455, 466, 145, 147, 338, 381, 402, 409, 410, 411, 412, 500, and 440 ordered on file.

Senate Bill No. 426 re-referred to Committee on Finance.

Senate Bill No. 454 re-referred to Committee on Mines, Drainage, and Mining Debris.

Senate Bill No. 445 re-referred to Committee on City, City and County, and Town Governments.

Senate Bill No. 483 re-referred to Committee on Elections.

Senate Bill No. 397 re-referred to Committee on Roads and Highways.

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 5, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance,

and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 220—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 218—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four of, and to add three new sections, to be numbered six hundred and twenty-seven, six hundred and twenty-eight, and six hundred and twenty-nine, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 435—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation—have had the same under consideration, and respectfully report the same back, and recommend that the title be amended, the sections numbered, and that the bill do pass as amended.

VOORHEIS, Chairman.

Senate Bill No. 223 re-referred to Committee on City, City and County, and Town Governments.

Senate Bills Nos. 220, 218, and 435 ordered on file.

PETITION.

Senator Earl presented the following petition, and asked that same be printed in the Journal.

So ordered.

To the honorable the Alameda delegation of Senators and Assemblymen:

GENTLEMEN: We, the undersigned, residents of Alameda County, most earnestly request that you support some measure that will enable the Alameda County Society for the Prevention of Cruelty to Animals, organized under the Act of 1874, entitled "An Act for the more effectual prevention of cruelty to animals," to draw from the county funds of this county the sum of one hundred and fifty dollars per month, to aid said society in better prosecuting its noble work.

Also, kindly do all in your power to pass the bill adding two new sections to said Act, and numbered sections thirteen and one half and four and one half.

(Signed:) K. Champlin & Co., 1173 Broadway; H. D. Eliason, 465 Twenty-first Street; Strauss & Baum, 467 Fourteenth Street; J. T. Agard, 475 Fourteenth Street; C. L. Maxwell, 1166 Washington Street; John Cushing & Son; W. T. Hyde, druggist, 1161 Washington Street; Christian Schrieber, 1157 1159 Washington Street; F. E. Crocker, 405 Ninth Street; E. Bishop, 1165 Washington Street; H. Wilemenbrarch, 1165 Washington Street; Alex. Ross, Hotel Wilson; J. Barnett, City Hall; H. B. Rand; E. C. Morrison, Summit Street; Louis Schaffer, Chief of Police, Oakland; E. T. Holland, 801 Brush Street; G. C. Kaufman, Secretary Board of Public Works; R. C. J. Olney, Deputy City Superintendent of Schools; C. D. Visher, City Hall; James A. Johnson, City Attorney; H. F. Peterson, Public Library; Frank J. Mohr, Editor "Times"; A. W. Bishop; H. M. Sanborn, 517 Fourteenth Street; S. Teig, 1119 Washington Street; E. R. Gill, 1113 Washington Street; S. Anderson, 1105 Washington Street; J. F. Lemon, 1104 Broadway; H. C. Capwell, 1069 Washington Street; Joe Wallace, 1063 Washington Street; David F. Selby, 1057 Washington Street; T. A. Schluter, 1053 Washington Street; Al. Byler, 1053 Washington Street; A. H. Schluter, 1053 Washington Street; Henry Williams, 1057 Alice Street; J. G. Steele, 1415 Tenth Street; Benjamin Courant; A. L. Winter, 972 Ninth Street; W. Salinger, Washington Street; E. Salinger, Washington Street; H. K. Snow, 520 Eleventh Street; E. Mayrisc, Jr., Alameda, Cal.; James B. Barber, Alameda, Cal.; Geo. L. Musbaumer, County Surveyor; A. C. Richards, Oakland; H. C. Dexter, Oakland; J. W. Ballard, Oakland; J. H. Strong, Oakland; Ole C. Vinzent, Oakland; Frank T. Thompson, Oakland; Carl F. Wood, Oakland; W. S. Harlow, Oakland; H. S. Smith, Oakland; C. E. Lloyd, Oakland; Osgood Bros., Seventh and Broadway; W. Leitch & Co., 866 Broadway; D. Mitchell, 862 Broadway; Elbert Pinney, Jr., 902 Broadway; J. W. Dutton, Sheriff's office; A. G. Davis, 902 Broadway; C. K. King, 902 Broadway; Fred. A. Poor, 1320 Filbert; John F. Vuhey, 918 Broadway; T. F. Walter, 918 Broadway; Harold Bolce, "Examiner"; M. Marcuse, 918 Broadway; W. Wilson, 952 Broadway; T. Carpenter, 1229 Webster; R. Harmon, 969 Broadway; Chas. E. Snook, 901 Union Street; O. Whipple, 1012 Tenth

Avenue; Chas. Husband, 1537 Everett Street, Alameda; Frank C. Jordan, 1615 Ninth Avenue; J. Cal. Ewing, 952 Myrtle Street; F. D. Adams, 561 East Eighteenth Street; N. Walter Spaulding, 1723 Nineteenth Avenue; A. O. Fisher, 1539 Park Street, Alameda; M. A. Whidden, 404 Twelfth Street; T. J. Sullivan, Niles; J. W. Osborn, 1441 Filbert Street; P. L. Potter, 574 Thirty-fourth Street; M. S. Armstrong, 913 Fifth Avenue; E. L. Johnston, 404 Twelfth Street; W. D. Powers, 1752 Taylor Street; C. D. Maloney, West Berkeley; Geo. H. Mason, 366 East Fourteenth Street; D. F. Ayers, 610 Twelfth Street; E. J. Doussel, 918 Filbert Street; J. J. Sullivan, 1254 Market Street; J. P. Garhik, Superintendent of Schools, Linda Vista Terrace; J. H. Fuller, Deputy Superintendent of Schools; J. H. W. Riley, Official Reporter of Superior Court; Israel Lawton, 1207 Castro Street; A. A. Denison, 1012 West Street; J. J. Mammy, 667 Seventh Street; H. C. Boyer, Seventh and Broadway; F. Rugg, Seventh and Broadway; E. P. Taylor, 857 Broadway; J. W. Hill, 859 Broadway; D. Hyman, 863 Broadway; O. E. Hotchkiss, 463 Ninth Street; M. Cohn, 867 Broadway; M. Citron, 869 Broadway; Louis Jurgen, 873 Broadway; Louis Camp, 875 Broadway; H. Furst, 901 Broadway; H. Alexander, 905 Broadway; Albert F. Shulte, Fruit Vale; Wm. R. Davis, 957 Broadway; S. E. Blakeley, 362 East Tenth Street; W. R. Thomas, 816 Eleventh Street; C. A. Scoville, 459 Ninth Street; Jos. S. Naismith, 463 Ninth Street; O. A. Lane, 908 Broadway; Harry Benner, 777 Sixteenth Street; Wm. Whiley, 1222 Grand Street, Alameda; S. H. Mather, 1354 Webster Street; James Glenn, 903 Castro Street; James M. Dant, 566 Eleventh Street; J. J. Naegle, 515 Sixteenth Street; William W. Landun, 455 Ninth Street; G. A. Koch, 453 Eighth Street; T. P. Thwaites, 1267 Sixth Avenue; Percy Young, East Berkeley; N. A. Koser, 573 Fifteenth Street; J. F. Teague, Berkeley; S. B. McKee, Oakland; E. A. Chapman, 1501 West Street; J. H. Smith, 957 Broadway; H. A. Luttrell, 969 Broadway; Garrett & Taggart, 1201 Broadway; Moses Williams, 814 Thirteenth Street; W. J. Patterson, 510 Ninth Street; D. C. Hinsdale, 1124 East Seventeenth Street; Philip Graf, P. White, 765 Twenty-second Street; S. P. Meads, 1759 Brush Street; C. A. Farnham; E. F. Burrill; H. W. Snow, 1255 Broadway; George Babcock, 2615 San José Avenue, Alameda; H. T. Morris, 2044 Railroad Avenue, Alameda; Jacob I. Smith, 907-13 Broadway; William Smith, 863 Broadway; M. Hyman, 271 3 Oakland; Joseph Harris, 915 Broadway; Charles B. Miller, 669 Adeline Street; G. Cunningham, 906 Broadway; H. L. Cunningham, 906 Broadway; O. J. Willis, 906 Broadway; Frank B. Joseph, 906 Broadway; Edward A. Holman, 906 Broadway; Dr. P. McCargar, 1023 Magnolia; J. E. McElroth, 906 Broadway; Frederick Forbes, 462 Twelfth Street; F. W. Fry, 836 Twenty-ninth Street; E. L. Priest, 596 Twenty-second Street; C. Y. Hamilton, 454 Ninth Street; J. C. Fuller, 577 Thirty-fifth Street; G. W. Hughes, 576 Twentieth Street; F. N. Smith, 914 Eighth Street, Oakland; J. R. Bradbury, 478½ Tenth Street, Oakland; E. L. Briggs, 667 Eleventh Street; Geo. R. Read, 515 Eleventh Street, Oakland; A. S. Macdonald, 470 Ninth Street; A. J. Samuel, 481 Ninth Street; Hugh M. Cameron, 479 Ninth Street; A. Boucbrum, 469 Ninth Street; Jno. Warner, 467 Ninth Street; Thos. W. Jeffress, 1429 Twenty-third Avenue; J. S. White, 542 Eighteenth Street; James W. Woodward, 1676 Taylor Street; A. M. Benham, 570 Eleventh Street; Simon Peter, 2020 Linden Street; Geo. B. M. Gray, 767 Alice Street; James McDonald, 463 Ninth Street; I. Robinson, 459 Ninth Street; R. F. Wight, 459 Ninth Street; James Toohig, 815 Thirteenth Street; J. E. Byler, 868 Twenty-first Street; E. Weidler, 1309 Broadway; W. E. Manuel, 471 Eleventh Street; M. Smith, 957 Broadway; J. K. Piersol, 957 Broadway; Chas. Mau, 957 Broadway; E. Lehnhardt, 1159 Broadway; C. T. Rogers, 1214 Grove Street; L. W. Morgan, 2520 Tell Avenue; W. J. Bowman, 630 Ninth Street; C. H. Smith, 953 Broadway; S. K. Irish, 880 Twenty-sixth Street; I. V. Mossman, 586 Tenth Street; L. D. Manning, 805 Isabella; J. C. McMullen, 1008 Broadway; S. F. Daniels, 957 Broadway, Oakland; P. V. Chamberlin, Oakland; B. W. Rogers, Oakland; R. W. Snow, Oakland; J. T. Agard, Oakland; David R. Rae, Oakland; Edwin Sidney Williams, Oakland; M. S. Libby, Oakland; Elliot D. Curtis, Oakland; I. N. Wilkins, Oakland; R. W. Miller, Oakland; Newton H. Barry, Oakland; James Dallas, Oakland; W. D. Smith, Oakland; W. Rader, Oakland; Henry E. Knox, Oakland; Charles S. Lewis, Oakland; Noel H. Jacks, Oakland; F. H. Brooks, Oakland; Chas. G. Reed, Oakland; W. H. High, Jr., Oakland; Geo. S. Meredith, Oakland; S. L. Ross, Oakland; J. E. Dean, Oakland; J. G. Eccleston, Oakland; N. R. Johnston, Oakland; W. W. Garthwaite, Oakland; F. A. Allardt, Oakland; E. C. Hagad, Oakland; John R. Mason, Oakland; Abe P. Leach, Oakland; P. L. Arnold, Oakland; John De Lancey, Oakland; Geo. A. Carter, Oakland; B. C. Fabrique, Oakland; J. A. Macdonald, Oakland; Henderson & Graham, Oakland; L. Frink, Oakland; Geo. A. Warder, Oakland.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 603—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in

the City Cemetery of Sacramento, and for the improvement of said grounds.

Referred to Committee on Finance.

Also: Senate Bill No. 604—An Act to provide for the payment by municipalities of claims arising out of the improvement of streets, sidewalks, and sewers therein.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seymour: Senate Bill No. 605—An Act to regulate the salaries of certain officers in State institutions.

Referred to Committee on Retrenchment and Public Expenditures.

By Senator Mahoney: Senate Bill No. 606—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relating to the sale and use of opium, and any preparation thereof.

Referred to Committee on Education and Public Morals.

By Senator Flint: Senate Bill No. 607—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor.

Referred to Committee on Finance.

By Senator Fay: Senate Bill No. 608—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the compensation of Court reporters.

Referred to Committee on Judiciary.

Also: Senate Bill No. 609—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered section one thousand two hundred and ninety-eight, relating to certificates of election, and providing for the delivery of possession of office to the persons named in such certificates, and for the punishment for the violation thereof.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 610—An Act entitled an Act to amend section sixteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State, for the construction of sewers, and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Referred to Committee on Judiciary.

By Senator Toner: Senate Bill No. 611—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven of article six of the Political

Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Referred to Committee on Commerce and Navigation.

By Senator Beard (by request): Senate Bill No. 612—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General as the general locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Referred to Committee on Federal Relations and Immigration.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator McGowan, Senate Bill No. 79 was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 88 was substituted therefor on the file.

WITHDRAWAL OF BILL.

Senator Beard was, by unanimous consent, granted permission to withdraw Senate Bill No. 7, referred to Committee on Claims.

Senate Bill No. 7 withdrawn.

MOTION.

Senator Earl moved that Senate Bill No. 24 be taken up and read second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed, and on file for third reading.

MOTION.

On motion of Senator Voorheis, the regular order was passed, and the Senate proceeded to the consideration of bills on the first-reading file.

GENERAL FILE.

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Passed on file.

FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Senate Bill No. 205—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one hundred and eighty-one of said Act, relative to distances from the county seat of San Diego County.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section two thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known

and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Senate Bill No. 231—An Act to give legal standing to and provide for the licensing of public accountants.

Senate Bill No. 232—An Act providing for the election of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salary of each of said Judges.

Senate Bill No. 234—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

Senate Bill No. 244—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Senate Bill No. 256—An Act to amend section one thousand four hundred and one of the Civil Code, relative to the disposition of and succession to community property derived by surviving husbands upon the death of the wife.

Senate Bill No. 260—An Act to amend section three hundred and sixty-eight of the Political Code, relative to appointment of executive officers by the Governor.

Senate Bill No. 273—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relative to witnesses before grand juries.

Senate Bill No. 276—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons where the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Senate Bill No. 278—An Act relating to the trial of actions for a divorce.

Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary; and to appropriate money therefor.

Senate Bill No. 112—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Senate Bill No. 319—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered two hundred and eighty-eight and two hundred and eighty-nine, to punish the crime of open and notorious cohabitation and adultery.

Senate Bill No. 321—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Senate Bill No. 323—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and re-sale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Senate Bill No. 335—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to presentments by a grand jury.

Senate Bill No. 395—An Act to diminish the number of Judges of the Superior Court of this State in and for the county of Tulare.

Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Senate Bill No. 222—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State land.

Senate Bill No. 316—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgage of personal property.

Senate Bill No. 324—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Senate Bill No. 333—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Senate Bill No. 334—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Senate Bill No. 336—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same.

Senate Bill No. 343—An Act to amend section one thousand four hundred and seventy-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Senate Bill No. 287—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent, interest parties, discharge of executors or administrators.

Senate Bill No. 403—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prison, and bringing articles into the State Prisons.

Senate Bill No. 303—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-six of the Code of Civil Procedure of the State of California, relating to attachments.

Senate Bill No. 341—An Act to amend section two hundred and eighteen of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains.

Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter-claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purposes of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

MOTION.

Senator Orr moved that the Senate proceed to consider bills on the second-reading file.

So ordered.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Seawell, Senate Bill No. 120 was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 347 substituted therefor on the file, both bills containing the same subject-matter.

On motion of Senator Seawell, the Senate struck from its file Senate Bill No. 120.

SECOND READING OF BILLS.

Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

During the second reading the following committee amendment was submitted:

Strike out in line nine of printed bill all after the word "action," and down to and including line twelve.

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 204—An Act to provide for the depositing of State and county funds in banks.

Passed on file, on motion of Senator Withington.

Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

During the second reading of the bill, the following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the whole of section thirteen.

Adopted.

AMENDMENT No. 2.

Strike out the whole of section fourteen.

Adopted.

AMENDMENT No. 3.

Number section fifteen of the bill as "section thirteen."

Adopted.

AMENDMENT No. 4.

Number section sixteen of the bill as "section fourteen."

Adopted.

AMENDMENT No. 5.

Insert a new section to the bill, to be known and numbered "section fifteen," and to read as follows:

"Sec. 15. The Governor shall, immediately upon the enactment of this Act, appoint three resident citizens of the State, who shall have practical experience in the manu-

facture of dairy products, to constitute a State Dairy Bureau, and who shall serve until the first day of July, eighteen hundred and ninety-seven; and on the said first day of July, eighteen hundred and ninety-seven, the State Dairy Bureau shall cease to exist, and all provisions in this Act relating to said State Dairy Bureau shall be null and void; all other provisions in this Act, however, shall remain in full force and effect. The members of said Bureau shall serve without compensation, and, within twenty days after their appointment, shall take the oath of office as required by the Constitution, and they shall thereupon meet and organize by electing a Chairman and Treasurer. Any one of them may be removed from office by the Governor for neglect or violation of duty. The Governor shall fill any vacancy by appointment. They shall make a report in detail to the Legislature, not later than the first day of December, eighteen hundred and ninety-six."

Adopted.

AMENDMENT No. 6.

Insert a new section to the bill, to be known and numbered as section sixteen, to read as follows:

"SEC. 16. It shall be the duty of the State Dairy Bureau to secure, as far as possible, the enforcement of this Act. The State Dairy Bureau shall have power to employ an agent at a salary of twelve hundred dollars a year, and such assistants, or chemists, as from time to time may be necessary therefor."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 78—An Act entitled an Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and sixty-six, relative to certain actions when taxes have not been paid.

Senator McGowan moved to amend as follows:

Strike out, printed bill, from line three to line eight, inclusive, and insert the following:

"Section 466. When it appears to the Court in an action for debt, or upon a note, bond, or other instrument for the payment of money, or evidence of debt, that any municipal or State tax which is due thereon has not been paid, the action must be dismissed; and when it appears in any such action that such indebtedness, evidence of indebtedness or obligation, has escaped any assessment legally levied within two years, and that the owner, holder, or assignor thereof has concealed or withheld the same, to prevent or evade the assessment thereof, a judgment must be rendered against a recovery thereon; but this section shall not apply to *bona fide* holders for value of a negotiable instrument as to assessments prior to the indorsement to him of such instrument."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Gleaves: Senate Bill No. 613—An Act authorizing and directing the Governor of the State of California to pay the traveling expenses of the River and Harbor Committee of the House of Representatives of the United States, if the same should visit California, and appropriating money therefor.

Referred to Committee on Federal Relations and Immigration.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Senator Gleaves: Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State. Referred to Committee on Federal Relations and Immigration.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

AMENDMENT.

Senator Simpson moved to amend as follows:

By inserting in section one, in line thirteen of printed bill, after the word "Commissioner": "*provided further, that eight hours shall constitute a day's work, and the pay shall be, for unskilled labor, twenty-five cents per hour, and for man and two-horse team, forty-five cents per hour.*"

Amendment adopted.

MOTION.

Senator Orr moved that Senate Bill No. 99 be temporarily withdrawn from the file, and referred to Committee on Roads and Highways.

Motion lost.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 94—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Passed on file, on motion of Senator McGowan.

Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 294—An Act entitled "An Act to amend section two

hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors."

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

During the second reading of the bill the following committee amendments were submitted:

In line two, section two, printed bill, insert after word "first," the words "Monday after the first."

Adopted.

Also: In line two, section three, printed bill, insert after word "first," the words "Monday after the first."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 56—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof.

Passed on file.

Senate Bill No. 50—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

Passed on file.

Senate Bill No. 39—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Passed on file.

Senate Bill No. 41—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Passed on file.

Senate Bill No. 63—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled.

During the second reading of the bill the following committee amendments were submitted:

Insert in line five, printed bill, after the word "Court," the following: "W."

Adopted.

Also: Insert in line six, printed bill, after the word "State," the following: ", a."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 45—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, powers, and duty of receivers.

Passed on file.

Senate Bill No. 52—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act, relating to debtors discharged.

Passed on file.

Senate Bill No. 54—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of the Court to be made, and the proceedings to be had, upon the filing of petitions in insolvency.

Passed on file.

Senate Bill No. 77—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had thereon; also by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees—their election, appointment, rights, powers, duties, and accounts; also by amending section thirty-five of said Act, relating to insolvency proceedings by or against partnerships and corporations; also by amending section forty-eight of said Act, relating to debtors' discharge; also by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also by amending section sixty-four of said Act, relating to contempts; also by amending section sixty-five of said Act, relating to preferred claims for costs; also by amending section sixty-seven of said Act, relating to appeals.

Passed on file.

Senate Bill No. 106—An Act authorizing and requiring Boards or Commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Passed on file.

Senate Bill No. 330—An Act to amend section ten of the Political

Code of the State of California, relating to legal holidays and non-judicial days.

Passed on file.

Senate Bill No. 33—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Passed on file.

Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Passed on file.

Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Passed on file.

APPOINTMENT OF SPECIAL COMMITTEE.

The President pro tem. announced the following as the special committee, in conformity with the resolution to investigate and report on necessary officers and attachés of the Senate, etc., introduced by Senator Withington—Senators Withington (Chairman), Holloway, and Langford.

RECESS.

At twelve o'clock and five minutes P. M., on motion of Senator Voorheis, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Fint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Voorheis, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Earl was granted leave of absence for this afternoon, on motion of Senator Fay.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 320—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section sixty of said Civil Code.

Read second time, ordered engrossed, and on file for third reading

Senate Bill No. 306—An Act to amend section one thousand and ninety-eight of the Penal Code of California, in relation to the trial of criminal cases either separately or jointly, in the discretion of the Court.

Passed on file, on motion of Senator Aram.

Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

During the second reading of the bill the following committee amendment was submitted:

In line four, section one, of printed bill, after the word "property," insert the words "other than money."

Amendment adopted.

MOTION.

On motion of Senator Withington, further consideration of the bill was postponed, and the bill was passed on file.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 64—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

AMENDMENT.

Senator Hart moved to amend as follows:

By inserting in lieu of the word "ten" the word "five," in line three of printed bill.

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 65—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

AMENDMENT.

Senator Hart moved to amend as follows:

By inserting in lieu of the word "ten," in line four of printed bill, the word "five."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 177—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

AMENDMENT.

Senator Simpson moved to amend as follows:

By striking out of section one, line two, of printed bill, the word "thirty," after the word "as," and inserting the following: "twenty."

Adopted.

Also: Strike out the figure "3" in line four, and inserting the figure "2," so as to make the section read "2939 $\frac{1}{2}$," instead of "3939 $\frac{1}{2}$."

Adopted.

Also: Amend the title by striking out the figure "3," and inserting the figure "2," so as to make it read "2939 $\frac{1}{2}$ " instead of "3939 $\frac{1}{2}$."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

Resolved, That the Superintendent of State Printing be and he is hereby directed to print and deliver to the Sergeant-at-Arms of the Senate five hundred extra copies of Senate Bill No. 571.

Adopted.

MOTION.

Senator Voorheis moved that Senate Bill No. 291 be taken up and read a second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

AMENDMENT.

Senator Voorheis moved to amend as follows :

By striking out of section one, line two, of printed bill, the words "three hundred and thirty-nine," and inserting in lieu thereof "three hundred and seventy-one."

Amendment adopted.

Also: By adding after line four of printed bill, "Mrs. Ada B. Campbell, sixteen dollars, and Mrs. Sadie L. Cooper, sixteen dollars."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senator McAllister moved that Senate Bill No. 391 be recalled from the Committee on Attachés, Contingent Expenses, and Mileage, and that it be referred to Special Committee on Attachés this day announced.

So ordered.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Passed on file.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Passed on file.

Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than one thousand five hundred.

Passed on file.

Senate Bill No. 265—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Read second time, ordered engrossed, and on file for third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Hoyt was granted unanimous consent to withdraw Senate Bill No. 84 and substitute in place thereof on the file Senate Bill No. 239.

Senate Bill No. 84 withdrawn.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Read second time, ordered engrossed, and on file for third reading.

CALL OF THE SENATE.

Senator Voorheis moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Voorheis, and Withington.

The Sergeant-at-Arms was ordered to close the doors.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President pro tem. directed the Sergeant-at-Arms to open the doors.

Whereupon the doors were opened.

RESOLUTION.

By Senator Voorheis:

Resolved. That Assembly Bill No. 1 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 1 declared a case of urgency by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Voorheis, and Withington—28.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read second and third times, and finally passed by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Smith, Voorheis, and Withington—25.

NOES—None.

Title read and approved.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 264—An Act to repeal an Act entitled “An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor,” approved March 10, 1891.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 181—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read second time, ordered engrossed, and on file for third reading.

Senator Orr in the chair.

Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled “An Act to establish a Civil Code,” approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 354—An Act to amend an Act entitled “An Act to establish a uniform system of county and township governments,” approved March 24, 1893, by amending section sixty-six thereof, relating to the residence of county officers.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 97—An Act to regulate the trial of actions for a divorce.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 297—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Passed on file.

Senate Bill No. 299—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Passed on file.

Senate Bill No. 312—An Act entitled an Act to amend chapter one hundred and seventeen of the Penal Code, concerning vagrants.

Passed on file.

Senate Bill No. 301—An Act to amend section six hundred and eighty-five of an Act entitled “An Act to establish a Code of Civil Procedure,” approved March 21, 1872, in relation to executions after five years.

Passed on file.

Senate Bill No. 191—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 164—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice, and certified copies of records as evidence.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Passed on file, on motion of Senator Seawell.

Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Passed on file.

Senate Bill No. 49—An Act to amend section seventy-three of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Court.

Passed on file.

Senate Bill No. 142—An Act regulating and fixing the liability of inn-keepers, hotel-keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling bags, bundles, packages and their contents, and the personal property of guests, boarders, and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code.

By unanimous consent Senator Seymour withdrew Senate Bill No. 142.

Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Passed on file.

Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Passed on file.

Senate Bill No. 362—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Passed on file.

Senate Bill No. 300—An Act to amend section one thousand two hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead and the value thereof.

Passed on file.

Senate Bill No. 296—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Passed on file.

Senate Bill No. 298—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Passed on file.

Senate Bill No. 357—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Passed on file.

Senate Bill No. 358—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Passed on file.

Senate Bill No. 359—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Passed on file.

Senate Bill No. 360—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Passed on file.

Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Passed on file, at request of the author.

Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Passed on file, at request of the author.

Senate Bill No. 342—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to the magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Passed on file, at request of the author.

Senate Bill No. 345—Amending section four thousand one hundred and twenty-one of the Political Code.

During the second reading of the bill the following committee amendments were submitted:

Insert title as follows: "An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, Constables, and their deputies, from practicing law or acting as attorneys, and making said officials ineligible to the office of Notary Public."

Amendment adopted.

Also: Strike out all of section two.

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 217—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank when the same does not exceed the sum of five hundred dollars," approved February 18, 1874.

During the second reading of the bill the following committee amendments were submitted:

Insert immediately after enacting clause the following: "SEC. 1. Section one of said Act is hereby amended to read as follows."

Amendment adopted.

Also: Insert between sections one and two the following: "SEC. 2. Section two of said Act is hereby amended so as to read as follows."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 224—An Act to amend section one thousand two hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand two hundred and seventy-one, relative to devises of real property by last will.

During the second reading of the bill the following committee amendment was submitted:

In line six, printed bill, after the word "void," insert the words "as to said real property."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

President pro tem. Thomas Flint, Jr., in the chair.

Senate Bill No. 111—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

During the second reading of the bill the following committee amendments were submitted:

Strike out in section two, line three, printed bill, the word "filing," and insert the word "entering."

Amendment adopted.

Also: Strike out in line eight, same section, printed bill, the word "two," and insert the word "five."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

During the second reading of the bill the following substitute, suggested by the committee, was read:

JUDICIARY COMMITTEE SUBSTITUTE.

An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," is hereby amended so as to read as follows, to wit:

4235. He must, upon the payment of his fees for the same, record separately, in large and well bound separate books, in a fair hand:

1. Deeds, grants, transfers, and mortgages of real estate, releases of mortgages, powers of attorney to convey real estate, and leases which have been acknowledged or proved.
 2. Mortgages of personal property.
 3. Certificates of marriage and marriage contracts.
 4. Wills admitted to probate.
 5. Official bonds.
 6. Notices of mechanics' liens.
 7. Transcripts of judgments which, by law of this State, or of the United States, are made liens upon real estate in this State.
 8. Notices of attachment upon real estate.
 9. Notices of the pendency of an action affecting real estate, the title thereto, or possession thereof.
 10. Instruments describing or relating to the separate property of married women.
 11. Notices of preëmption claims.
 12. Births and deaths; and,
 13. Such other writings as are required or permitted by law to be recorded.
- SEC. 2. This Act shall take effect immediately.

Substitute adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 123—An Act to amend section six hundred and thirty-three and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 216—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and re-sale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Passed on file, at the request of the author.

Senate Bill No. 467—An Act to amend section three thousand six

hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Read second time, ordered engrossed, and on file for third reading.

REPORT OF STANDING COMMITTEE.

Senator Voorheis, from the Committee on Finance, presented the following report, and same was ordered printed in the Journal:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 5, 1895.

MR. PRESIDENT: Your Finance Committee presents herewith an itemized statement of pending appropriations involved in Senate Bills introduced to date. The proposed allowances for claims, improvements, repairs, deficiencies, and new buildings, etc., amount to \$3,324,454.

The General Appropriation Bill calls for \$5,177,484.

For schools, as the law provides, \$4,390,918 must be raised.

For the State University the 1 cent tax authorized by law will produce \$223,000.

For Interest and Sinking Fund the sum of \$282,270 will be required.

These sums aggregate \$13,403,126.

The 50-cent limit on the valuation of 1894 will produce \$12,049,769.

The appropriations pending exceed the 50-cent limit \$1,353,347.

Following is a list of the pending appropriations:

Senate Bill No. 2—Claim of D. H. Wyckoff.....	\$800 00
Senate Bill No. 4—Advertising constitutional amendments.....	109,753 00
Senate Bill No. 6—Deficiency in appropriation for cost of suits.....	3,000 00
Senate Bill No. 9—Claim of Francis O'Hara and Richard Walsh.....	1,200 00
Senate Bill No. 7—Claim of Jerome Deasy.....	880 75
Senate Bill No. 14—Appropriation for University of California.....	250,000 00
Senate Bill No. 16—Claim of W. H. Murray.....	1,300 00
Senate Bill No. 23—Appropriations for buildings for University of California.....	250,000 00
Senate Bill No. 27—Appropriation for Deaf and Dumb Asylum.....	35,000 00
Senate Bill No. 31—Appropriation for Donner monument.....	2,500 00
Senate Bill No. 36—Claim of D. Jordan.....	161,000 00
Senate Bill No. 70—Claim of Mrs. Sarah J. Wing.....	5,000 00
Senate Bill No. 71—Claim of Mary M. Springer, widow of late State Printer.....	8,500 00
Senate Bill No. 72—Relief of Charles F. Wells.....	7,500 00
Senate Bill No. 75—Claim for reimbursing Marin County for prosecution of crimes committed at San Quentin Prison and inquests held over bodies of convicts in said prison.....	3,050 90
Senate Bill No. 83—Claim of A. G. Lafferty for supplies furnished Company A.....	600 00
Senate Bill No. 103—Deficiency in appropriation for State Normal School, Los Angeles, California.....	13,500 00
Senate Bill No. 104—Appropriation for furniture and apparatus, Normal School, Los Angeles.....	5,000 00
Senate Bill No. 105—Appropriation for heating and ventilating State Normal School, Los Angeles.....	6,500 00
Senate Bill No. 44—Indebtedness National Guard.....	183,662 50
Senate Bill No. 68—Personal injuries of F. E. Jackson.....	25,000 00
Senate Bill No. 69—Claim of Wm. G. Hall.....	5,000 00
Senate Bill No. 162—Claim of Edwin J. Card.....	2,500 00
Senate Bill No. 152—Appropriation for cement floor, Normal School at Chico.....	1,200 00
Senate Bill No. 43—Purchase of additional grounds for Napa Asylum.....	653 00
Senate Bill No. 57—For support of Veterans Mexican War.....	45,000 00
Senate Bill No. 151—Fence for Chico Normal School.....	6,000 00
Senate Bill No. 148—Free road to Yosemite Valley.....	60,000 00
Senate Bill No. 140—Additional buildings for Southern California Insane Asylum.....	250,000 00
Senate Bill No. 139—For support of Southern California State Asylum.....	25,000 00
Senate Bill No. 138—Residence for Medical Director Southern California State Insane Asylum.....	5,400 00
Senate Bill No. 190—Advertising constitutional amendments.....	1,141 74
Senate Bill No. 193—Appropriation for reservoir, Preston School.....	16,000 00
Senate Bill No. 194—Appropriation for buildings, Preston School.....	83,000 00
Senate Bill No. 200—Appropriations Normal School, San Diego.....	50,000 00

Senate Bill No. 212—Folsom State Prison, forty-sixth fiscal year, ending June 30, 1895.....	\$10,000 00
Senate Bill No. 213—Repairs for Folsom State Prison.....	25,000 00
Senate Bill No. 325—For elevator attendant.....	1,800 00
Senate Bill No. 304—Claim of John Barry.....	320 00
Senate Bill No. 327—Four months' salary for elevator attendant.....	300 00
Senate Bill No. 331—For R. J. Broughton, Sheriff of Santa Barbara County.....	121 50
Senate Bill No. 236—For appropriation to University of California for moneys advanced State forestry stations.....	831 22
Senate Bill No. 237—Appropriation for State forestry stations.....	1,545 00
Senate Bill No. 238—Appropriation for Chico and Santa Monica forestry stations.....	10,000 00
Senate Bill No. 240—For purchase of residence for the Governor.....	60,000 00
Senate Bill No. 214—Appropriation for purchase of adjacent lands, Folsom Prison.....	4,500 00
Senate Bill No. 232—For additional Judge of Superior Court, Yuba and Sutter Counties.....	4,000 00
Senate Bill No. 226—For additional Judge of Superior Court, Humboldt County.....	4,000 00
Senate Bill No. 88—To prevent deception in manufacture of butter.....	12,000 00
Senate Bill No. 127—Claim of W. P. Lampkin.....	300 00
Senate Bill No. 124—For Mendocino Asylum, deficiency.....	45,000 00
Senate Bill No. 118—Appropriation for Charles Phipps.....	175 00
Senate Bill No. 129—For Administration Building, Mendocino Asylum.....	159,280 00
Senate Bill No. 134—Claim of Frank H. Lombard.....	89 00
Senate Bill No. 254—For portrait of Governor Markham.....	1,000 00
Senate Bill No. 251—Claim of José Ramon Pico.....	8,111 15
Senate Bill No. 250—For Superior Judge, Sacramento.....	4,000 00
Senate Bill No. 248—Claim of C. A. Hiatt.....	300 00
Senate Bill No. 291—Deficiency in contingent expenses of Senate, thirtieth session.....	339 00
Senate Bill No. 285—For additions and repairs at Folsom State Prison.....	160,000 00
Senate Bill No. 326—For purchase from W. Cogswell, portraits of John McDougal and Newton Booth.....	1,500 00
Senate Bill No. 366—Deficiency State Insane Asylum, Stockton.....	15,013 00
Senate Bill No. 365—Repairs State Insane Asylum, Stockton.....	15,000 00
Senate Bill No. 353—Claim of A. L. Wood of San Diego.....	300 00
Senate Bill No. 368—Contingent expenses of Senate, thirty-first session.....	25,000 00
Assembly Bill No. 1—Contingent expenses Assembly, thirty-first session.....	15,000 00
Senate Bill No. 377—Additional building for Woman's Relief Corps at Evergreen, Santa Clara County.....	5,000 00
Senate Bill No. 393—Claim of Alice Lampson Dodge.....	584 00
Senate Bill No. 394—For ice factory at Folsom Prison.....	160,000 00
Senate Bill No. 400—Claim of Chas. E. Cunningham and Wm. C. Rogers.....	1,077 00
Senate Bill No. 405—Deficiency in appropriation for transportation of insane, forty-third fiscal year.....	161 00
Senate Bill No. 406—Claim of Carl Spelling.....	1,500 00
Senate Bill No. 404—For purchase of additional land, Mendocino Asylum.....	15,000 00
Senate Bill No. 417—For tiling first floor, State Capitol.....	6,000 00
Senate Bill No. 418—To pay deficiency for arresting criminals, forty-third and forty-fourth fiscal years.....	1,348 00
Senate Bill No. 422—Claim of Henry W. Taylor, assignee of John M. Creed.....	315 00
Senate Bill No. 428—For support of Southern California State Asylum for Insane and Inebriates.....	25,000 00
Senate Bill No. 429—For furniture for new ward for building of Southern California State Asylum for Insane and Inebriates.....	10,000 00
Senate Bill No. 431—Deficiency for postage and expressage in Secretary of State's office, forty-fifth and forty-sixth fiscal years.....	700 00
Senate Bill No. 436—For repairs State Normal School, San José.....	5,000 00
Senate Bill No. 437—For improvement of grounds San José Normal School.....	5,000 00
Senate Bill No. 438—Maintenance of Woman's Relief Corps Home at Evergreen, Santa Clara County.....	10,000 00
Senate Bill No. 448—Claim of R. B. Young.....	2,375 00
Senate Bill No. 449—For improvement of the Whittier State School.....	129,150 00
Senate Bill No. 461—For deficiency of salary of Secretary of Board of Examiners, forty-fourth fiscal year.....	163 00
Senate Bill No. 463—Claim of Charlotte M. Holman.....	1,087 00
Senate Bill No. 468—Claim of Jerome Deasy.....	1,052 00
Senate Bill No. 473—For laundry, boiler, and power building, Home for Feeble-Minded.....	46,500 00
Senate Bill No. 476—Claim of Fred. Hansted.....	210 00
Senate Bill No. 17—For State building at San Francisco.....	300,000 00
Senate Bill No. 501—Rent for Bureau of Labor Statistics for forty-fifth and forty-sixth fiscal years.....	1,200 00
Senate Bill No. 502—Funeral of E. G. Waite.....	596 00

Senate Bill No. 503—To pay San Francisco for conveying children to Whittier	\$3,470 00
Senate Bill No. 504—Unpaid claims for bounty on coyote scalps	275,000 00
Senate Bill No. 556—For purchase of Coulterville and Yosemite toll road ..	50,000 00
Senate Bill No. 553—For monument over the grave of E. G. Waite, late Secretary of State	1,500 00
Assembly Bill No. 450—Deficiency State Printing Office	50,000 00
Total	\$3,318,454 85
General Appropriation Bill	5,177,484 00
For schools	4,390,918 00
For State University	228,000 00
For Interest and Sinking Fund	282,270 00
Aggregate	\$13,397,126 85

VOORHEIS, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Orr: Senate Bill No. 614—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Referred to Committee on Judiciary.

Also: Senate Bill No. 615—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Referred to Committee on Judiciary.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

Passed on file.

Senator Orr in the chair.

Senate Bill No. 307—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health of the City and County of San Francisco," approved March 31, 1891.

During the second reading of the bill the following committee amendment was submitted:

In line two, printed bill, after the word "health," insert the words "and the Board of Health."

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 481—An Act to regulate the practice of architecture. Passed on file.

Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Read second time, and ordered to engrossment and to a third reading.

ADJOURNMENT.

At four o'clock and five minutes P. M., on motion of Senator Hart, the Senate adjourned.

IN SENATE.*

SENATE CHAMBER,
Wednesday, February 6, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names.

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF THE JOURNAL.

Resolution appointing special committee on election frauds.

MOTION.

On motion of Senator Voorheis, the above special order was postponed and made a special order for to-morrow, Thursday, February 7, 1895, immediately after reading of the Journal.

Senator Langford called up the other special order set for this hour, namely:

Consideration of Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

RESOLUTION.

By Senator Langford:

Resolved, That Senate Bill No. 373 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 373 declared a case of urgency by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Martin—1.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Senators Androus, Beard, Biggy, Burke, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—26.

NOES—Senators Aram, Bert, Denison, Dunn, Ford, Mahoney, Martin, McGowan, Mitchell, and Shine—10.

Title read and approved.

MOTION.

On motion of Senator Langford, Senate Bill No. 373 was ordered transmitted to the Assembly immediately.

LEAVE OF ABSENCE.

Senator Toner was granted leave of absence for the day, on motion of Senator Henderson.

Senator Seymour was granted leave of absence for the day, on his own motion.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 504—An Act to appropriate two hundred and seventy-five thousand dollars to pay the unpaid claims for bounty on coyote scalps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 129—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Lone, Amador County, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Lone California—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 502—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Also: Senate Bill No. 503—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 156—An Act to amend section three thousand and forty six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 254—An Act to provide for the purchase of a portrait of ex-Governor Markham, by the Secretary of State, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Also: Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

Senate Bills Nos. 504, 129, 194, 193, 124, 502, 503, 417, 156, 254, 75, and 325 ordered on file.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 482—An Act to establish kindergarten schools, and to provide for the maintenance, support, and conduct of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 565—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections one thousand six hundred and seventeen, one thousand six hundred and sixty-two, and one thousand six hundred and sixty-three of said Code; and by adding two new sections to said Code, to be numbered and known as sections one thousand six hundred and seventy-four and one thousand seven hundred and five, relating to the establishment of kindergarten classes in primary schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 399—An Act to amend subdivision eleven of section one thousand five hundred and forty-three of an Act entitled "An Act to establish a Political Code," relating to the general duties of School Superintendents—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 315—An Act to amend section one thousand six hundred and fifty-one of the Political Code of the State of California, relating to the duties and compensation of clerks of school districts.

Also: Senate Bill No. 533—An Act to amend section one thousand six hundred and thirty-six of the Political Code of the State of California, relating to the duties of Census Marshals.

Also: Senate Bill No. 534—An Act to amend section one thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to County Boards of Education.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 569—An Act to amend section one thousand four hundred and eighty-nine of the Political Code, relating to State Normal Schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EARL, Chairman.

Senate Bills Nos. 482, 565, 399, 315, 533, 534, and 569 ordered on file.

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Senate Bill No. 580—An Act declaring the Petaluma River navigable and a public way from and to certain points herein named—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 572—An Act to provide for the erection of a suspension bridge over the Klamath River, below tide water, in Del Norte County, California—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets—have had the same under consideration, and respectfully report the same back without recommendation.

GLEAVES, Chairman.

Senate Bills Nos. 580, 572, 62, and 61 ordered on file.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments: to whom was referred Senate Bill No. 221—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

Senate Bill No. 221 ordered on file.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 118—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 476—An Act to pay the claim of Fred. Hansted for services as Clerk to the Committee on Investigation of the Pilot Commissioners.

Also: Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth years.

Also: Senate Bill No. 400—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers for the services rendered in running the elevator in the State Capitol.

Also: Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Also: Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected. Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FRANCK, Chairman.

Senate Bills Nos. 118, 476, 6, 400, 418, and 422 re-referred to Committee on Finance.

Senate Bill No. 388 ordered on file.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom was referred the following mileage accounts for Senators:

SUPPLEMENTAL REPORT.

Names.	Allowed in Former Report.	Actual Mileage.	Add to Former Report.	Amount.
Androus	478	513	35	\$7 00
Beard	91	111	20	4 00
Franck	128	132	4	80
Henderson (error in print former report)				60
Holloway	141	182	41	8 20
Hoyt	80	85	5	1 00
Linder	211	224	13	2 00
Mahoney (error in print former report)				60
Martin	37	65	28	5 60
McAllister	51	96	45	9 00
Mitchell (error in print former report)				60
Orr	392	500	108	21 60
Seymour	588	600	12	2 40
Shippee	78	89	11	2 20
Simpson	478	488	10	2 00
Toner (error in print former report)				60
Withington	566	604	38	7 60

Have had the same under consideration, and respectfully submit the accompanying supplemental report, to correct mileage and errors in report heretofore made, and recommend that the same do pass.

Your committee also recommend the adoption of the following resolution:

Resolved, That the Senators above named be and are hereby allowed the amount set opposite their respective names for mileage for attendance on the thirty-first session of the Senate, and the Controller is requested to draw his warrant for said amount, to be paid out of the appropriation for per diem and mileage of Lieutenant-Governor and Senators.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Whitehurst, and Withington—27.

NOES—None.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and request that the author of Senate Bill No. 378 withdraw the same, as it is a copy of Assembly Bill No. 144.

Also: Senate Bill No. 497—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure.

Also: Senate Bill No. 479—An Act to amend section one hundred and sixty as amended March 15, 1887, of "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Court by Superior Judges of other counties, and providing for their actual expenses.

Also: Senate Bill No. 579—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending section one thousand seven hundred and four of said Act, relative to recording papers in probate proceedings.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 407—An Act to create and administer a school teachers' annuity and retirement fund in the several counties, and cities and counties, of the State—have had the same under consideration, and respectfully report the same back, adversely to its constitutionality.

Also: Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 474—An Act to provide a depository for the county funds—have had the same under consideration, and respectfully report the same back, adversely to the constitutionality of such bill, upon the authority of *Yarnell vs. City of Los Angeles*, 87 Cal 603.

Also: Senate Bill No. 499—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, Calaveras, and Siskiyou.

Also: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Also: Senate Bill No. 491—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Also: Senate Bill No. 206—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

Assembly Bill No. 144, and Senate Bills Nos. 378, 497, 479, 579, 407, 514, 474, 499, 434, 491, and 206 ordered on file.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 543—An Act to afford greater security to passengers upon stage coaches, wagons, and other conveyances in or upon which express matter, gold or silver bullion, money, treasure, or other valuable thing or things in the custody or under the control of any express company as a common carrier is usually carried, relating to the duties of express companies, and prohibiting armed guards, agents, or messengers from riding in or upon stage coaches, wagons, and other conveyances engaged in carrying passengers for hire, and providing penalties for a violation of, or failure to comply with, the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ORR, Chairman.

Senate Bills Nos. 543 and 20 ordered on file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Also: Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Also: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Also: Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Also: Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Also: Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River and other inland waters of the State.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 10, 28, 29, 32, 55, and 141 referred to Committee on Judiciary.

Assembly Bills Nos. 135 and 142 referred to Committee on State Library and Rules.

Assembly Joint Resolution No. 10 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

S. J. DUCKWORTH, Chief Clerk.

Assembly Constitutional Amendment No. 3 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifth day of February, 1895, passed Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections.

Also: Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, substituted Assembly Joint Resolution No. 13 for Senate Joint Resolution No. 2—Relative to the free coinage of silver.

S. J. DUCKWORTH, Chief Clerk.

Assembly Constitutional Amendment No. 5 referred to Committee on Constitutional Amendments.

Assembly Bill No. 75 referred to Committee on Judiciary.

Assembly Joint Resolution No. 13 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Mathews: Senate Bill No. 616—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893, by amending section one of said Act.

Referred to Committee on City, City and County, and Town Governments.

By Senator Orr: Senate Bill No. 617—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Referred to Committee on State Library and Rules.

By Senator Franck: Senate Bill No. 618—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to certain cases when the place of trial may be changed.

Referred to Committee on Judiciary.

By Senator Franck (by request): Senate Bill No. 619—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or each city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed, and designating and establishing the compensation, and prescribing the duties of such assistants," approved March 23, 1893, and to add new sections thereto, being known and designated as sections four, five, six, seven, and eight.

Referred to Committee on Judiciary.

Also: Senate Bill No. 620—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds of income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Referred to Committee on City, City and County, and Town Governments.

By Senator Fay: Senate Bill No. 621—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seymour: Senate Bill No. 622—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 623—An Act to amend sections three thousand eight hundred and forty, three thousand eight hundred and forty-six,

three thousand eight hundred and fifty-one, and three thousand eight hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the collection of poll taxes.

Referred to Committee on Judiciary.

By Senator Gesford: Senate Bill No. 624—An Act to amend section seven hundred and eighteen of the Civil Code, relating to leases of town or city lots.

Referred to Committee on Judiciary.

Also: Senate Bill No. 625—An Act to amend sections two hundred and four, two hundred and five, and two hundred and eight of the Code of Civil Procedure, relative to trial and grand jurors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 626—An Act to amend section seven hundred and seventeen of the Civil Code, relating to leases of agricultural land.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses, on Sundays and legal holidays.

Referred to Committee on Judiciary.

By Senator Linder: Senate Bill No. 628—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Referred to Committee on Judiciary.

By Senator Bert: Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Referred to Committee on Finance.

By Senator Franck: Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Referred to Committee on Claims.

REPORT OF SUB-COMMITTEE.

Senator Ford, from the Committee on State Prisons and Prison Buildings, presented the following report, and same was ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings beg leave to submit the report of its sub-committee, appointed to investigate and report upon the needs of the Whittier State School, which said report is hereto annexed.

FLINT, Chairman.

REPORT.

MR. CHAIRMAN: Your sub-committee appointed to investigate and report upon the needs of the Weather State School, have performed the duties assigned them, and beg leave to report as follows:

Your sub-committee arrived at said school on the morning of Friday, February 1st, and spent the whole of that day and a portion of the following day in the presentation of their views. They personally inspected the grounds, buildings and equipments of the school, and saw the pupils in the school-rooms, in the workshop, and on the parade ground.

Two years ago the Chairman of your sub-committee visited said school as Chairman of a special committee from the Senate appointed to investigate and report upon the management and needs of said school. At that time a thorough examination was made concerning the management of the school, and the witnesses having been examined under oath during such investigation, which was continued through a period of three days. The report of that committee was included on pages 941-942 of the Senate Journal for 1890, to which we would respectfully refer. With the knowledge and experience gained by that investigation, your sub-committee was enabled to make more expeditiously perform the duties assigned them.

At the time of our investigation on the first inst. there were three hundred and forty-two boys and six girls at the school. The buildings for the boys are about a half a mile distant from the main buildings which are occupied by the boys. The cottages for the girls are new and but not wholly completed. When completed there will be ample room for the needs of the girls' department. The boys are quite crowded, and a number of them have to sleep in the main school buildings.

The trustees submitted a carefully prepared statement of their needs when we examined them by them on our visit, with the Committee on State Finances from the Assembly. The statement prepared by the trustees showed an expenditure to ask for no more than was actually needed, but in view of the financial condition of the State and the general hard times prevailing, your committee thought it wise to outline their financial needs in such expenditures as are absolutely indispensable to a proper conduct of the school.

The statement submitted to your committee comprised the following items to wit:

Cannery and drier.....	\$2,000 00
Hospital building.....	6,000 00
Two cottages for boys.....	40,000 00
Enlargement of trades building.....	12,000 00
Completion of attic in administration building.....	600 00
For library.....	3,000 00
Additional harness, cows, pigs and agricultural implements.....	2,000 00
For completion and furnishing of building now in course of erection for Boys' Department, for kitchen, dining-room, bakery, and Commissary Department.....	4,000 00
For completion and furnishing of cottage building now in course of erection for girls.....	3,500 00
Complete outfit of tools for shops already here, and for tools for machine shop, tanning and plumbing shop, and bookbindery.....	10,000 00
Machinery for laundry.....	1,800 00
Boiler for power-house, in place.....	1,750 00
For purchase of land for vegetable vineyard, and alfalfa.....	28,000 00
For purchase of water and necessary piping.....	8,000 00
Quarters for the land and other purposes, and use in inclement weather.....	3,500 00
Wire, for grounds and gate, fencing and for barn-enclosed.....	1,000 00
Fees for architect and superintendent of construction.....	2,000 00
For maintenance of the hundred children, two years, at \$90 per year.....	90,000 00
Total.....	\$429,150 00

In lieu thereof your committee recommend the following:

Hospital building.....	\$6,000 00
Completion of attic in administration building.....	600 00
Enlargement of trades building.....	12,000 00
For library.....	2,000 00
Additional harness, cows, pigs and agricultural implements.....	2,000 00
For completion and furnishing of building now in course of erection for Boys' Department, for kitchen, dining-room, bakery, and Commissary Department.....	4,000 00
For completion and furnishing of cottage building now in course of erection for girls.....	3,500 00
Complete outfit of tools for shops already here, and for tools for machine shop, tanning and plumbing shop, and bookbindery.....	7,000 00
Machinery for laundry.....	1,800 00
Boiler for power-house, in place.....	1,750 00
For purchase of land for vegetable vineyard, and alfalfa.....	10,000 00
For purchase of water and necessary piping.....	8,000 00

Quarters for drill and exercise purposes, and use in inclement weather.....	\$3,500 00
Work on grounds about girls' building, and for barn thereon.....	1,000 00
For maintenance of four hundred and fifty children two years, at \$300 per year.	250,000 00

Total..... \$313,150 00

It is with some reluctance that your committee recommends the above reduction of \$116,000 from the estimate of the Trustees, and it is only because of a desire to assist in keeping the appropriations of the present session down to the actual present needs of our State institutions. The two cottages for the boys, the cannery and drier, and other suggested improvements will soon be absolute necessities, but your committee is of opinion that they can wait two more years without seriously crippling the institution. So with the matter of obtaining additional land.

Your committee desire to say that the management of the school is most excellent, and the school itself is accomplishing a great work. In our judgment there is not another institution in the State whose results are of more lasting benefit to the people, whether viewed from a moral, a financial, or a philanthropic standpoint.

In conclusion, we desire to repeat the concluding language of the report of the special committee of the Senate of 1893:

"In conclusion, your committee begs leave to suggest that, inasmuch as the above institution has passed beyond the experimental stage, and is now a permanent State institution, there should be provided for it a permanent fund, to consist of a fixed percentage of the taxes annually collected for State purposes, thus removing the institution as far as may be from the influence of partisan politics, and rendering it more stable and independent, and unembarrassed by legislative uncertainties."

Respectfully submitted.

FORD,
WHITEHURST,
ARMS.

Sub-Committee.

To Hon. THOMAS FLINT, JR.,

Chairman Committee on State Prisons and Prison Buildings.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: The Sub-Committee on State Prisons and Prison Buildings, appointed to investigate and report upon the needs of the Whittier State School at Whittier, Los Angeles County, having visited said school and reported back the result of their investigation to the Senate, now present their account for mileage, as follows:

Senator Ford, 956 miles.....	\$95 60
Senator Whitehurst, 956 miles.....	95 60
Senator Arms, 956 miles.....	95 60
Geo. W. McIntyre, Clerk, 956 miles.....	95 60
Total.....	\$382 40

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Tiley L. Ford, Chairman of said sub-committee, for the sum of three hundred and eighty-two dollars and forty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

FORD, Chairman Sub-Committee.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 461—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-fourth fiscal year.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 370—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation,

and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general Boards, conduct, management, and affairs of all State institutions, commissions, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

During the second reading of the bill the following committee amendment was submitted:

Amend section three by striking out the words "this Act shall take effect immediately," and inserting the following: "The appropriation herein made shall be in force and effect from and after January 1, 1896."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 405—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

During the second reading of the bill the following committee amendment was submitted:

Amend enacting clause by inserting the word "represented" after the word "California."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

SENATE CONSTITUTIONAL AMENDMENT No. 2.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

The Legislature of the State of California, at its thirty-first session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that the amendment to section one of article two of the Constitution of the State of California be amended so as to read as follows:

Section 1. Every native citizen, male or female, of the United States, every person, male or female, who shall have acquired the rights of citizenship under or by virtue of the Treaty of Queretaro, and every naturalized male or female citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he or she claims his or her vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law; *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Con-

stitution in the English language, and write his or her name, shall ever exercise the privileges of an elector in this State; *provided*, that the provisions of this amendment, relative to an educational qualification, shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age and upwards at the time this amendment shall take effect.

After being read, on motion of Senator McGowan, Senate Constitutional Amendment No. 2 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 11.

Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

The Legislature of the State of California, at its twenty-ninth session, commencing on the first Monday after the first day of January, Anno Domini eighteen hundred and ninety-one, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section twelve of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 12. On and after the year Anno Domini eighteen hundred and ninety-five, no poll or capitation tax shall be imposed on any inhabitant of this State for any purpose.

After being read, on motion of Senator Voorheis, Senate Constitutional Amendment No. 11 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 9.

Proposed amendment to section five of article two of the Constitution, relative to elections.

The Legislature of the State of California, at its thirty-first session, two thirds of all the members elect to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to section five of article two of the Constitution, relative to elections.

That section five of article two be amended to read:

Section 5. All elections by the people shall be by ballot, or by the use of a voting machine, as the Legislature may by law direct. The Legislature may purchase the right for the State to use, or to manufacture and use, any suitable voting machine; *provided*, that in making such purchase preference shall be given to the invention of a citizen of California, if there be any such, if of equal merit.

After being read, Senate Constitutional Amendment No. 9 was passed on file, in the absence of the author.

SENATE CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State, amending section five of article two thereof, relative to the manner of voting.

The Legislature of the State of California, at its thirty-first session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section five of article two of the Constitution of the State of California be amended so as to read as follows:

Section 5. All elections by the people shall be by ballot, or by such other method as may be prescribed by law; *provided*, that secrecy in voting be preserved.

Senate Constitutional Amendment No. 8 read.

The roll was called, and Senate Constitutional Amendment No. 8 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

SENATE CONSTITUTIONAL AMENDMENT No. 3.

A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended to read as follows:

Section 1. All property in the State, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property" as used in this article and section is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation; *provided, also*, that all vessels registered at any port in this State, and engaged in ocean commerce between any port in the United States and any foreign port, or between ports in the United States, shall be exempt from all license taxes or regulation, and from all local and State taxation. The Legislature may provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to *bona fide* residents of this State.

Senate Constitutional Amendment No. 3 read.

The roll was called, and Senate Constitutional Amendment No. 3 adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—34.

NOES—None.

MOTION.

On motion of Senator Voorheis, the consideration of Senate Constitutional Amendment No. 11 was resumed.

Senator Voorheis moved to amend as follows:

By striking out of section twelve, line one, the words "ninety-five" and inserting "ninety-seven."

Adopted.

Also:

Amend the title so as to read: "thirty-first session, commencing on the first Monday after the first day of January, Anno Domini eighteen hundred and ninety-five," instead of "twenty-ninth session, commencing on the first Monday after the first day of January, Anno Domini eighteen hundred and ninety-one."

Adopted.

Senate Constitutional Amendment No. 11, as amended, reads as follows:

SENATE CONSTITUTIONAL AMENDMENT No. 11.

Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

The Legislature of the State of California, at its thirty-first session, commencing on the first Monday after the first day of January, Anno Domini eighteen hundred and ninety-five, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section twelve of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 12. On and after the year Anno Domini eighteen hundred and ninety-seven, no poll or capitation tax shall be imposed on any inhabitant of this State for any purpose.

The roll was called, and Senate Constitutional Amendment No. 11 lost by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Denison, Dunn, Fay, Franck, Gesford, Hart, Henderson, Linder, Mathews, Mitchell, Shine, Simpson, Toner, and Voorheis—18.
NOES—Senators Aram, Beard, Burke, Earl, Flint, Gleaves, Holloway, Hoyt, Langford, Martin, McAllister, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Whitehurst, and Withington—19.

RECESS.

At twelve o'clock and twenty-two minutes P. M., on motion of Senator Seawell, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

JOURNAL AMENDED.

On motion of Senator Simpson, the Journal of yesterday was amended so that the amendment submitted by him and adopted by the Senate, to Senate Bill No. 99, would read as follows:

By inserting in section one, in line thirteen, printed bill, after the word "Commissioner":
"provided further, that eight hours shall constitute a day's work, and the pay shall be, for unskilled labor, twenty-five cents per hour, and for man and two-horse team, forty-five cents per hour."

MOTION.

On motion of Senator McGowan, Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States—was re-referred to Committee on Judiciary, but to retain its place on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the report of the sub-committee of the Committee on State Prisons and Prison Buildings, in regard to their account for mileage due from their visit to the Whittier State School—have had the same under consideration, and respectfully report the same back, and recommend that the following resolution be adopted:

Resolved, That the sum of three hundred and eighty-two dollars and forty cents is hereby appropriated out of the fund for the contingent expenses of the Senate, for the purpose of paying the mileage due the Sub-Committee on State Prisons and Prison Buildings; and the Controller is hereby directed to draw his warrant in favor of Tiley L. Ford for said amount, and the Treasurer is directed to pay the same.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Franck, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McGowan, Mitchell, Pedlar, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 5, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

Senate Bill No. 519 ordered on file.

SPECIAL FILE—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT No. 16.

A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Section One (1). There shall be exempt from taxation, household goods to the amount of two hundred dollars, to all householders and heads of families; *provided*, that musical instruments, watches, jewelry, and firearms shall not be included in such exemption.

Senate Constitutional Amendment No. 16 read.

The following committee substitute for Senate Constitutional Amendment No. 16 was substituted and read:

A resolution to propose to the people of the State of California an amendment to section twelve and three fourths of article thirteen of the Constitution, relative to exemptions from taxation.

Resolved, That the Legislature of the State of California, at its regular thirty-first session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section twelve and three fourths of article thirteen of the Constitution of the State of California be amended so to read as follows:

Section 12¾. Fruit and nut-bearing trees under the age of four years from the time of planting in orchard form, and grapevines under the age of three years from the time of planting in vineyard form, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevines to taxation; and household goods to the amount of two hundred dollars, to all householders and heads of families, shall also be exempt from taxation; *provided*, that musical instruments, watches, jewelry, and firearms shall not be included in such exemption.

The roll was called, and the substitute for Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—33.

NOES—Senator Aram—1.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 28—An Act to amend section one of an Act authorizing the appointment of an interpreter of the Italian language and

dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over, approved March 12, 1885.

Read third time.

The question being on the final passage of Senate Bill No. 28.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Read third time.

The question being on the final passage of Senate Bill No. 198.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read third time.

MOTION.

Senator Mahoney moved that the further consideration of Senate Bill No. 15 be postponed, and the bill re-referred to the San Francisco Delegation, but to retain its place on file.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Dunn, Flint, Franck, Gleaves, Henderson, Holloway, Mahoney, Martin, McGowan, Pedlar, Shine, Shippee, Simpson, Toner, and Withington—19.

NOES—Senators Arms, Biggy, Denison, Fay, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Orr, Seawell, Smith, and Whitehurst—14.

Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read third time.

The question being on the final passage of Senate Bill No. 122.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—34.

NOES—None.

Title read and approved.

Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Read third time.

The question being on the final passage of Senate Bill No. 1.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Passed on file.

Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read third time.

The question being on the final passage of Senate Bill No. 51.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, and Whitehurst—27.

NOES—None.

Title read and approved.

Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Read third time.

MOTION.

Senator Seawell moved that the final passage of Senate Bill No. 249 be postponed, and that said bill be re-referred to Committee on Judiciary, but to retain its place on file.

So ordered.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file, on motion of Senator McAllister, but to retain its place.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read third time.

The question being on the final passage of Senate Bill No. 226.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Gesford, Gleaves, Henderson, Hoyt, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 207—An Act to regulate the sale of milk.

Read third time.

The question being on the final passage of Senate Bill No. 207.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Fay, Flint, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Toner, Whitehurst, and Withington—27.
NOES—Senator McGowan—1.

Title read and approved.

Senator Orr in the chair.

Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devices, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Read third time.

The question being on the final passage of Senate Bill No. 310.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.
NOES—None.

Title read and approved.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file, on motion of Senator McGowan, but to retain its place.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Read third time.

MOTION.

Senator Gleaves moved that Senate Bill No. 46 be referred to Senator Withington, as a special committee of one, with instructions to amend as follows:

Amend section one by inserting after the word "Fresno," on line seven of section one, the word "Siskiyou," and by omitting the words "Santa Cruz" on line five of section one, printed bill.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 46, with instructions to amend, respectfully reports the same back, amended as per instructions.

WITHINGTON, Committee.

Report of committee of one and amendments adopted.

Bill ordered to print as amended, to be reëngrossed, and on file for final passage.

Senate Bill No. 228—An Act to amend section two hundred and

ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read third time.

The question being on the final passage of Senate Bill No. 228.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Read third time.

The question being on the final passage of Senate Bill No. 182.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Dunn, Fay, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and seventy-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Read third time.

The question being on the final passage of Senate Bill No. 155.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Biggy, Burke, Denison, Dunn, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Read third time.

The question being on the final passage of Senate Bill No. 225.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

President pro tem. Hon. Thomas Flint, Jr., in the chair.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

On motion of Senator Langford, Senate Bill No. 262 was re-referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture for amendment, but to retain its place on file.

Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed on file, on motion of Senator Withington, but to retain its place.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Passed on file, on motion of Senator Withington, but to retain its place.

Senate Bill No. 55—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Read third time.

The question being on the final passage of Senate Bill No. 55.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Franck, Gesford, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Passed on file, on motion of Senator McGowan, but to retain its place.

Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read third time.

The question being on the final passage of Senate Bill No. 230.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Gesford, Gleave, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Read third time.

MOTION.

On motion of Senator Simpson, the final passage of Senate Bill No. 183 was postponed, said bill to retain its place on file.

Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read third time.

The question being on the final passage of Senate Bill No. 196.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Langford, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

NOTICE TO CHANGE STANDING RULES OF SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: I hereby notify the Senate that on to-morrow at eleven o'clock A. M., or as soon thereafter as the matter can be heard, that I will move the adoption of the following resolution:

Resolved, That rule one of the standing rules of the Senate be amended by striking therefrom the words "and thirty minutes" and the letter "P," all on line ten.

Respectfully submitted.

FRANK MCGOWAN.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 369—An Act to amend an Act entitled an Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of collections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

Senate Bill No. 369 ordered on file.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

Senate Bill No. 229 ordered on file.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Senator Denison, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 7, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Bert.

LEAVE OF ABSENCE.

Senator Earl was granted a leave of absence for one hour, on motion of Senator Gleaves.

JOURNAL AMENDED.

On motion of Senator Voorheis, the Journal of February 5, 1895, was amended on page twenty-six in report of Committee on Finance, by making the amount set opposite Senate Bill No. 68 twenty-five thousand dollars instead of thirty-five thousand dollars; by striking out on page twenty-seven one reference to Senate Bill No. 368; also, by making the amount set opposite Senate Bill No. 251 eight thousand one hundred and eleven dollars and fifteen cents instead of eight thousand eight hundred and eleven dollars and fifteen cents, and on page twenty-eight by making the two totals three million three hundred and eighteen thousand four hundred and fifty-four dollars and eighty-five cents, and thirteen million three hundred and ninety-seven thousand one hundred and twenty-six dollars and eighty-five cents.

APPROVAL OF JOURNALS.

The Journals of Monday, February 4, 1895, and Tuesday, February 5, 1895, were approved.

SPECIAL ORDER—IMMEDIATELY AFTER READING OF THE JOURNAL.

Resolution appointing special committee on election frauds.

MOTION.

On motion of Senator Orr, the above special order was postponed and made a special order for to-morrow. Friday, February 8, 1895, immediately after the reading of the Journal.

PETITION.

Senator Bert presented the following petition, and same was ordered printed in the Journal:

To the Senate and Assembly of the State of California:

Resolved, That the Citizens' Defense Association indorses the bill drafted by the Attorney-General, providing for the appointment of a non-partisan commission, endowed with ample power to investigate violations of the law by public officials, and urges upon the members of the Senate and Assembly the passage of said bill.

Adopted February 5, 1895.

JOSEPH BRITTON, Chairman.
JOHN P. DUNN, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 5, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed—beg leave to report that the same has been correctly reëngrossed.

SMITH, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 74—An Act to appoint a committee to report to the thirty-second session of the Legislature on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 337—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Also: Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 21—An Act to prevent evil-disposed persons from coming upon the State Prison grounds.

Also: Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 394—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FLINT, Chairman.

Senate Bills Nos. 74, 337, 21, and 462 ordered on file.

Senate Bills Nos. 214, 394, and 213 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 566—An Act for the more effectually prohibiting the keeping or exposing for sale, selling, giving, or permitting others to take any vinous, alcoholic, malt, or spirituous liquors within one mile of the land belonging to this State upon which a State Prison or University is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

Senate Bill No. 566 ordered on file.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 573—Relative to insuring preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to members of the Society of California Pioneers—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 559—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOLLOWAY, Chairman.

Senate Bills Nos. 573 and 559 ordered on file.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Retrenchment and Public Expenditures, to whom was referred Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

Senate Bill No. 508 re-referred to Committee on Finance.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 137—An Act to amend an Act entitled "An Act to provide for the erection and management of a State Hospital for the Insane to be located in Southern California," approved March 11, 1889, in relation to salary of Secretary.

Also: Senate Bill No. 419—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

PEDLAR, Chairman.

Senate Bill No. 137 re-referred to Committee on Finance.

Senate Bill No. 419 ordered on file.

MOTION.

Senator Earl moved that the Committee on State Library and Rules be authorized to meet and confer with a like committee of the Assembly, to frame joint rules for both branches of the Legislature.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Whitehurst: Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Referred to Committee on County Government and Township Organization.

By Senator Mathews: Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class.

Referred to Committee on City, City and County, and Town Governments.

By Senator Earl: Senate Bill No. 635—An Act to promote the practical study of the sciences in the high schools of California.

Referred to Committee on Education and Public Morals.

By Senator Smith: Senate Bill No. 636—An Act to amend section one thousand eight hundred and fifty-four of the Civil Code of California, relating to the duties of depositaries.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 637—An Act to repeal an Act entitled "An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General," approved March 31, 1891.

Referred to Committee on Judiciary.

Also: Senate Bill No. 638—An Act to repeal sections seven, eight, and nine of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed land, and validating sales and surveys heretofore made," approved March 24, 1893.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Franck (by request): Senate Bill No. 639—An Act amendatory of an Act to regulate the hours of labor and the employment of minors.

Referred to Committee on Labor and Capital.

Also (by request): Senate Bill No. 640—An Act relative to public health in cities of this State.

Referred to Committee on Hospitals.

By Senator McAllister: Senate Bill No. 641—An Act to regulate and provide for a day of rest in certain cases.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 642—An Act to pay the claim of

August Zimmerman against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Senate Bill No. 643—An Act appropriating money to pay the claim of the State Agricultural Society.

Referred to Committee on Claims.

By Senator Gleaves: Senate Bill No. 644—An Act fixing a bounty on rabbit scalps, and making an appropriation therefor.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 645—An Act to provide for the organization of county agricultural associations, and for the management of same by the State.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Gesford: Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Smith:

Resolved, That the Judiciary Committee be requested to hold sessions on but three evenings each week.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Beard, Denison, Fay, Flint, Ford, Gesford, Gleaves, Hoyt, Mahoney, McAllister, Mitchell, Orr, Seymour, Shine, Smith, Whitehurst, and Withington—17.

NOES—Senators Arms, Dunn, Earl, Henderson, McGowan, Seawell, Shippee, and Toner—8.

PETITION—(OUT OF ORDER).

Senator Earl presented the following petition, and, on motion, same was ordered printed in the Journal:

RESOLUTION BY SAN FRANCISCO CONGREGATIONAL MONDAY CLUB.

Resolved, That this club, representing the Congregational sentiment of San Francisco and the cities in its vicinity, are ineradicably opposed to the passage of the bill known as the "Uniform License Bill," or any other proposing to take away from any community the rights of local option.

Respectfully submitted.

FREDERICK FLAWITH,
Secretary Congregational Club.

SPECIAL FILE—FIRST READING OF BILLS.

Senate Bill No. 129—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the

asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Read first time.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Read first time.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

Read first time.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Read first time.

Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Read first time.

Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Read first time.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file, on motion of Senator McGowan.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file, on motion of Senator Ford.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Passed on file.

Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Passed on file, on motion of Senator Simpson, but to retain its place.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file, on motion of Senator McAllister, but to retain its place.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by add-

ing a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file, on motion of Senator McGowan, but to retain its place.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Passed on file.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Passed on file.

Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed on file, on motion of Senator Withington, but to retain its place.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Passed on file, on motion of Senator Withington, but to retain its place.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Read third time.

The question being on the final passage of Senate Bill No. 81.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, McAllister, Seymour, Toner, Whitehurst, and Withington—22.

NOES—Senators Martin and Shine—2.

Title read and approved.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 204—An Act to provide for the depositing of State and county funds in banks.

Passed on file.

Senate Bill No. 94—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 56—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof.

During the second reading of the bill, Senator Simpson moved to amend as follows:

By striking out of section one, line twelve, printed bill, the words "an attachment," and inserting the following: "a."

Adopted.

The following committee amendment was submitted:

Also: Strike out all of section two.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 50—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

During the second reading of the bill, Senator Simpson moved to amend as follows:

By striking out of section one, line seven, printed bill, the words "an attachment," and inserting the following: "a."

Adopted.

The following committee amendment was submitted:

Also: Strike out all of section two.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 39—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

During the second reading of the bill, the following committee amendments were submitted:

Insert in line thirteen, printed bill, after the word "thereof," the words "for at least ten days."

Adopted.

Also: Strike out all of section two.

Adopted.

The following amendment was submitted by Senator Ford:

Insert the abbreviation "Sec." at beginning of line three, printed bill.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senator Orr in the chair.

Senate Bill No. 41—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

During the second reading of the bill the following committee amendments were submitted:

Strike out, in line nine, printed bill, the words "the names of."

Adopted.

Also: Strike out all of section two.

Adopted.

Senator Ford moved to amend as follows:

By inserting the abbreviation "Sec." at commencement of line three. printed bill.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

PETITION—(OUT OF ORDER).

Senator Mathews presented a petition from the Board of Directors of the Los Angeles Chamber of Commerce, indorsing and recommending the passage of Senate Bill No. 107—An Act to regulate the manufacture and sale of commercial fertilizers.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ford: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Referred to Committee on Finance.

REPORT OF SUB-COMMITTEE.

Senator Androus, from the Sub-Committee on Public Buildings other than Prison Buildings, presented the following report, and same was ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: The Sub-Committee on Public Buildings other than Prison Buildings beg leave to submit the report of its sub-committee, appointed to investigate and report upon the needs of the State Normal School at Los Angeles, the Southern California State Asylum for the Insane, at Highlands, and the selection of a site for a Normal School in San Diego County, which said report is hereunto annexed:

REPORT.

The sub-committee of your Committee on Public Buildings other than Prison Buildings, to whom was referred the duty of visiting the State Normal School at Los Angeles, the Southern California State Asylum for the Insane and Inebriates, at Highlands, and the proposed sites for a Normal School in San Diego County, begs leave to report as follows: That on Wednesday, the thirtieth ultimo, they proceeded to Los Angeles, and immediately on their arrival visited the Normal School, and thoroughly inspected it, besides seeing the scholars and investigating its management. The school had an attendance last year of three hundred and thirty pupils. There are now nearly five hundred pupils attending the classes there in the Normal Department, and four hundred and fifty in the Model School. The estimated attendance in both departments for 1895-96 is one thousand.

Your committee found the new building authorized by the last Legislature completed. When properly furnished, Los Angeles will have a Normal School that will be excelled by few, if any, schools of the kind in the country. The furnishing of the new building,

including eight class-rooms, with a laboratory, chemical apparatus, etc., will cost, it is estimated, \$5,000. We consider that figure very moderate, and recommend that it be allowed. The school has only a few scientific instruments, and unless the articles for teaching physics and chemistry are provided it will be impossible to give instruction in those branches.

The heating and ventilating of the old building is very poor, and seriously endangers the health of the pupils. It has been condemned by the State Board of Health, and we recommend an appropriation of \$4,000 for the extension of the heating system to the old building.

The school has a very poor library, and less than half a dozen maps, and we recommend an appropriation of \$3,000 for the purchase of books, maps, globes, etc. For the maintenance of the school for the forty-seventh and forty-eighth fiscal years, we recommend an appropriation of \$80,000. The previous Legislature allowed the school, with half the present number of pupils, \$45,000 for the fiscal years forty-fifth and forty-sixth, and although economically conducted, the Board of Examiners was forced to allow the Trustees to create a deficit of \$13,500 for the forty-sixth fiscal year to enable them to give instruction to all who applied for it. This is an average of only \$80 per student per annum, and compares very favorably with the average cost of similar institutions in this country or abroad. We found the school well managed and economically conducted.

On Saturday we proceeded to Highlands, where we visited the State Asylum for the Insane and Inebriates. At the moment of our arrival the patients were present at an entertainment and dance in the large assembly hall. Their appearance was neat and clean, and by their frequent applause they seemed to be enjoying the music. After the entertainment we spent several hours inspecting the building from cellar to roof. We found the building clean, but the accommodations for the inmates totally inadequate. Seventy-six persons, thirteen of whom were women, were forced to sleep on the floor, there being no bedsteads for them. The dining-rooms are crowded into the basement, and although the new building has just been completed, it cannot be used until an appropriation is made to furnish it. The institution started with one hundred patients, and is receiving new ones at the rate of twenty per month, of whom sixty-four per cent are an average increase, the other thirty-six per cent representing those discharged, etc. The night we were there there were two hundred and ninety-eight patients in the asylum. It is proposed to put fifty patients in each ward. The salary list is from \$2,700 to \$2,800 per month. Those of the patients who are capable of working are employed around the grounds, one attendant employed on an average for every twenty-five patients. The patients work in the kitchen, dairy, and on the farm. A number of them were engaged digging a large reservoir. The per capita cost has been reduced from \$1 to 60 cents, and as soon as the farm is fully worked, and the fruit trees old enough to bear fruit, the rate can probably be reduced much lower. We recommend an appropriation of \$10,000 for furnishing the new wards, and urge the passage of this appropriation without delay, so the patients may have decent, not to say suitable accommodations. A woman's ward building will be badly needed if the present rate of increase keeps up, and we recommend an appropriation of \$65,000 for that purpose. There is no general dining-room for patients, no dormitory for help, and no wash-room for female patients. We recommend an appropriation of \$15,000 for the erection of a building for that purpose, and an appropriation of \$3,000 for furnishing it.

An electric light plant is needed, and we suggest an appropriation of \$2,000 for that purpose.

The institution has extensive grounds, but the heavy rains in winter are cutting them up; in some places deep gullies as much as twenty feet deep, and nearly half a mile in length, have been washed out this winter. The debris has been carried on the property of private citizens adjoining, and the State is in danger of being sued for heavy damages unless adequate storm drains are erected at once. The sewage from the asylum during the rainy season is carried onto the adjoining property, and there is general complaint from other property holders on this subject. We suggest that the sum of \$20,000 be appropriated for storm drains and a sewerage system, and we consider this sum absolutely necessary to protect the State's property and avoid any danger of damage suits, as suggested above.

There is no place for the Superintendent to live, and the Trustees have been forced to allow him \$1,500 per annum for the rent of premises for his family elsewhere.

We recommend an appropriation of \$5,400 for the erection and furnishing of a house for the Superintendent. Undoubtedly as the number of patients increase, the per capita of the institution will be reduced, not only for the reasons given above, but because the cost of cooking, heating, and so on will be no greater for one thousand than it is for three hundred persons. The institution seems to have been as well managed as the money at the disposal of the Trustees would permit.

From Highlands we proceeded to San Diego. There we were shown two sites offered to the State, one the "Children's Home," and the other the High School. The location of both is good, but the buildings are rather small for the purpose proposed. We also visited Pacific Beach, eight and a half miles from San Diego. The State is offered here free of all cost two brick buildings which would accommodate three hundred day scholars, and two frame buildings that can be used, the one for a gymnasium, the other for laboratories, a library, etc. There is also sixteen acres of land included in the property, which is probably worth \$75,000. The location is excellent, and admirably adapted to the purpose proposed, and the donation certainly a liberal one.

At Escondido, a brick building was offered the State which is valued at \$50,000.

While we do not believe it wise in the State to incur any extra expenses or to establish any new institutions at this time, still, if the Legislature should determine to establish a Normal School in San Diego County, we would recommend that it be located at Pacific Beach, which is by far the best location and the best property offered for such a school in our opinion.

By this careful inspection of the several institutions and points named above, we have been able to learn the minimum needs of the various institutions visited, and have been able to reduce the appropriations asked for \$254,000, without in any way impairing the efficiency of any of the institutions inspected or asked for. What we have recommended we believe is absolutely necessary, and we do not believe it can be safely, or with due regard to the requirements of the institutions, lessened.

All of which is respectfully submitted.

ANDROUS, Chairman.
BIGGY.
GESFORD.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: The special sub-committee of the Committee on Public Buildings other than Prison Buildings, which was appointed to visit the State Normal School at Los Angeles, the Insane Asylum at Highlands, and the proposed sites for a Normal School in San Diego County, have performed that duty, and reported back the result of their investigations to the Senate, now present this, their account for mileage, as follows:

Senator Androus, 1,190 miles.....	\$119 00
Senator Biggy, 1,284 miles.....	128 40
Senator Gesford, 1,240 miles.....	124 00
J. F. Carrere, Clerk, 1,240 miles.....	124 00
Total.....	\$495 40

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of S. N. Androus, Chairman of said sub-committee, for the sum of four hundred and ninety-five dollars and forty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

S. N. ANDROUS,
Chairman Sub-Committee.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 281—An Act to add a new section to the Political Code, to be known as section three thousand and twenty-two and one half.

Also: Senate Bill No. 138—An Act making an appropriation for the erection of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bills Nos. 150, 151, and 152—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico; also, an Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico; also, an Act making an appropriation for the construction of a cement floor at the State Normal School at Chico.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 377—An Act providing for the erection of an additional building for the use of the Woman's Relief Corps Home Association—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ANDROUS, Chairman.

Senate Bill No. 281 ordered on file.

Senate Bills Nos. 138, 429, 150, 151, 152, and 377 re-referred to Committee on Finance.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gleaves: Senate Bill No. 649—An Act to amend section two thousand six hundred and forty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and ninety thereof, relating to county officers of the twenty-eighth class, their salaries, fees, and expenses.

Referred to Committee on County Government and Township Organization.

By Senator Withington: Senate Bill No. 651—An Act to amend section six hundred and forty-seven of the Penal Code.

Referred to Committee on Judiciary.

RULES AMENDED.

Senator McGowan, in compliance with his notice given on a previous day, called for the consideration of the following:

NOTICE TO CHANGE STANDING RULES OF SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: I hereby notify the Senate that on to-morrow at eleven o'clock A. M. or as soon thereafter as the matter can be heard, that I will move the adoption of the following resolution:

Resolved, That rule one of the standing rules of the Senate be amended by striking therefrom the words "and thirty minutes" and the letter "P," all on line ten.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Whitehurst—30.

NOES—None.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

The following substitute submitted by the committee for Senate Bill No. 45—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, power, and duty of receivers.

Also: Senate Bill No. 52—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act, relating to debtors discharged.

Also: Senate Bill No. 54—An Act to amend an Act of the Legislature

of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of the Court to be made, and the proceedings to be had, upon the filing of petitions in insolvency.

Also: Senate Bill No. 77—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had thereon; also by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also by amending section thirty-five of said Act, relating to insolvency proceedings by or against partnerships and corporations; also by amending section forty-eight of said Act, relating to debtors' discharge; also by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also by amending section sixty-four of said Act, relating to contempts; also by amending section sixty-five of said Act, relating to preferred claims for costs; also by amending section sixty-seven of said Act, relating to appeals.

Was read as follows:

COMMITTEE SUBSTITUTE FOR SENATE BILLS Nos. 45, 52, 54, AND 77.

An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

ARTICLE I.

GENERAL SUBJECT OF THE ACT.

SECTION 1. Every insolvent debtor may, upon compliance with the provisions of this Act, be discharged from his debts and liabilities. This Act shall be known and may be cited as the Insolvent Act of eighteen hundred and ninety-five.

ARTICLE II.

VOLUNTARY INSOLVENCY.

SEC. 2. An insolvent debtor, owing debts exceeding in amount the sum of three hundred dollars, may apply by petition to the Superior Court of the county, or city and county, in which he has resided for six months next preceding the filing of his petition, to be discharged from his debts and liabilities. In his petition he shall set forth his place of residence, his inability to pay all his debts in full, his willingness to surrender all his estate and effects for the benefit of his creditors, and his desire to obtain a discharge from his debts and liabilities, and shall annex thereto a schedule and inventory, and valuation, in compliance with the provisions of this Act. The filing of such petition shall be an act of insolvency, and thereupon such petitioner shall be adjudged an insolvent debtor.

SEC. 3. Said schedule must contain a full and true statement of all his debts and liabilities, exhibiting to the best of his knowledge and belief to whom said debts or liabilities are due, the place of residence of his creditors, and the sum due each; the nature of the indebtedness or demand, whether founded on written security, obligation, contract, or otherwise; the true cause and consideration thereof, and the time and place when and where said indebtedness accrued, and a statement of any existing pledge, lien, mortgage, judgment, or other security for the payment of the same; also, an outline of the facts

touching any liability, directly or indirectly, in the nature of any right of action against the insolvent by any one.

SEC. 4. Said inventory must contain an accurate description of all the estate, both real and personal, of the petitioner, including his homestead, if any, and all property exempt by law from execution, and where the same is situated, and all incumbrances thereon; also, an outline of the facts touching any right of action in favor of the insolvent against any one.

SEC. 5. The petition, schedule, and inventory must be verified by the affidavit of the petitioner annexed thereto, and shall be in form substantially as follows: I, ———, do solemnly swear that the schedule and inventory now delivered by me contain a full, perfect, and true discovery of all the estate, real, personal, and mixed, goods and effects, to me in any way belonging; all such debts as are to me owing, or to any person or persons in trust for me, and all securities and contracts, and contracts whereby any money may hereafter become payable, or any benefit or advantage accrue to me or to my use, or to any other person or persons in trust for me; that the schedule and inventory, respectively, contain a clear outline of the facts touching any known right of action against me by any one, and an outline of the facts touching all rights of action in my favor against any one; that I have no lands, money, stock, or estate, reversion, or expectancy, besides that set forth in my schedule and inventory; that I have in no instance created or acknowledged a debt for a greater sum than I honestly and truly owe; that I have not, directly or indirectly, sold, or otherwise disposed of, or concealed, any part of my property, effects, or contracts; that I have not in any way compounded with my creditors whereby to secure the same, or to receive or to expect any profit or advantage therefrom, or to defraud or deceive any creditor to whom I am indebted in any manner. So help me God.

SEC. 6. Upon receiving and filing such petition, schedule, and inventory, the Court shall make an order declaring the petitioner insolvent, and directing the Sheriff of the county, or city and county, to take possession of all the estate, real and personal, of the debtor, except such as may be by law exempt from execution, and of all his deeds, vouchers, books of account, and papers, and to keep the same safely until the appointment of an assignee. Said order shall further forbid the payment of any debts and the delivery of any property belonging to such debtor, to him, or for his use, and the transfer of any property by him; and shall further appoint a time and place for a meeting of the creditors to prove their debts and choose an assignee of the estate, and shall designate a newspaper of general circulation published in the county, or city and county, in which the petition is filed, if there be one, and if there be none, in a newspaper published nearest to such county, or city and county, in which publication of such order shall be made. The time appointed for the election of an assignee shall not be less than eight nor more than ten days from the date of the order of adjudication. Upon the granting of said order, all proceedings against the said insolvent shall be stayed. When a receiver is appointed, or an assignee chosen, as provided for in this Act, the Sheriff shall thereupon deliver to such receiver or assignee, as the case may be, all the property and assets of the insolvent which have come into his possession, and shall be allowed and paid as compensation for his services the same expenses and fees as would by law be collectible if the property had been levied upon and safely kept under attachment.

SEC. 7. No claim shall be entitled to a vote for the election of an assignee, unless such claim shall be placed on file in the office of the Clerk of the Court in which the proceedings are pending, at least two days prior to the time appointed for the election of an assignee. All claims shall be established by a statement, showing the amount, and nature, of the claim, and security, if any; such statement to be verified by the claimant, his agent or attorney. Any person interested in the estate of the insolvent may file exceptions to the legality or good faith of any claim, by setting forth specifically, in writing, his interest in the estate and the grounds of his objection to such claim; such specification of exceptions to be verified by the affidavit of the party objecting, his agent or attorney, setting out among other things that such exceptions are not made for the purpose of delay, or otherwise than in good faith in the best interest of said estate. Such exceptions to be filed with the Clerk of the Court at least one day before the time appointed for the election of an assignee; and such exceptions shall be heard and disposed of by the Court, on affidavit or other evidence, in a summary manner, before the election of an assignee. But the decision of the Court upon the exceptions as to whether the claimant shall be entitled to vote for an assignee shall not be conclusive upon the right of the party to participate in the assets of the insolvent, the enforcement of such right being subject to the laws of the State touching the establishment of claims against the estates of insolvents in case of dispute. No creditor, or claimant, who holds any mortgage, pledge, or lien of any kind whatever, as security for the payment of his claim, shall be permitted to vote any part of his secured claim in the election of assignee, unless he shall first have the value of such security fixed as provided in section forty-eight of this Act, or surrender to the Sheriff or receiver of the estate of the insolvent, if any receiver, all such property so mortgaged or pledged, or assign such lien to such receiver or Sheriff; such surrender or assignment of security or lien to be for the benefit of all creditors of the estate of the insolvent. The value of such security, if fixed by the Court, shall be so fixed at least one day before the day appointed for the election of an assignee; in which event the claimant may prove his demand, as provided in this section, for any unsecured balance, subject to the same exceptions as all other claims.

SEC. 8. A copy of said order shall immediately be published by the Clerk of said Court, in the newspaper designated therein, as often as said newspaper is printed before

the meeting of creditors, and be served by the Clerk forthwith by the United States mail, postage prepaid, or personally, on all creditors named in the schedule. There shall be deposited in addition to the usual cost of commencing such proceedings, a sum of money sufficient to defray the cost of the publication ordered by the Court, and ten cents for each copy to be mailed to or served on the creditors, which latter sum is hereby constituted the legal fee of the Clerk for the mailing or service required in this section.

ARTICLE III.

INVOLUNTARY INSOLVENCY.

SEC. 9. An adjudication of insolvency may be made on the petition of five or more creditors, residents of this State, whose debts or demands accrued in this State, and amount in the aggregate to not less than five hundred dollars; *provided*, that said creditors, or either of them, have not become creditors by assignment within thirty days prior to the filing of said petition. Such petition must be filed in the Superior Court of the county, or city and county, in which the debtor resides or has his place of business, and must be verified by at least three of the petitioners, setting forth that such person is about to depart from this State, with intent to defraud his creditors, or being absent from the State with such intent, remains absent; or conceals himself to avoid the service of legal process; or conceals, or is removing, any of his property to avoid its being attached or taken on legal process; or being insolvent, has suffered his property to remain under attachment, or legal process, for three days; or has confessed or offered to allow judgment in favor of any creditors; or willfully suffered judgment to be taken against him by default; or has suffered or procured his property to be taken on legal process, with intent to give a preference to one or more of his creditors; or has made any assignment, gift, sale, conveyance, or transfer of his estate, property, rights, or credits, with intent to delay, defraud, or hinder his creditors; or in contemplation of insolvency, has made any payment, gift, grant, sale, conveyance, or transfer of his estate, property, rights, or credits; or has been arrested and held in custody by virtue of any civil process of Court founded on any debt or demand, and such process remains in force, and not discharged by payment, or otherwise, for a period of three days; or being a merchant or tradesman, has stopped or suspended, and not resumed payment within a period of forty days after the maturity of any written acknowledgment of indebtedness, unless the party holding such acknowledgment has, in writing, waived the right to proceed under this subdivision; or being a bank or banker, agent, broker, factor, or commission merchant, has failed for forty days to pay any moneys deposited with or received by him in a fiduciary capacity, upon demand of payment, excepting savings and loan banks, or associations who loan the money of their stockholders and depositors on real estate, and provide in their by-laws for the repayment of such deposits. The petitioners may, from time to time, amend and correct the petition, so that the same shall conform to the facts, by leave of the Court before which the proceedings are pending, such amendment or amendments to relate back to and be received as if embraced in the original petition; but nothing in this section shall be construed to invalidate any loan of actual value, or the security therefor, made in good faith upon a security taken in good faith on the occasion of the making such loan. The said petition shall be accompanied by a bond with two sureties in the penal sum of at least five hundred dollars, conditioned that if the debtor should not be declared an insolvent, the petitioners will pay all costs and damages, including a reasonable attorney's fee, that the debtor may sustain by reason of the filing of said petition. The Court may, upon motion, direct the filing of an additional bond with different sureties, when deemed necessary.

SEC. 10. Upon the filing of such creditors' petition, the Court, or a Judge thereof, shall issue an order requiring such debtor to show cause, at a time and place to be fixed by said Court, or Judge, why he should not be adjudged an insolvent debtor, and at the same time, or thereafter, upon good cause shown therefor, said Court, or Judge, may make an order forbidding the payment of any debts, and the delivery of any property belonging to such debtor to him or for his use, or the transfer of any property by him.

SEC. 11. A copy of said petition, with a copy of the order to show cause, shall be served on the debtor, in the same manner as is provided by law for the service of summons in civil actions, but such service shall be made at least five days before the time fixed for the hearing; *provided*, that if, for any reason, the service is not made, the order may be renewed, and the time and place of hearing changed by supplemental order of the Court; *provided, however*, that where the debtor or debtors on whom service is to be made reside out of this State; or has departed from the State; or cannot, after due diligence, be found within the State; or conceals himself to avoid the service of the order to show cause, or any other process or orders in the matter; or is a foreign corporation, having no managing or business agent, Cashier, or Secretary within the State, upon whom service can be made, and such facts are shown to the Court, or a Judge thereof, by affidavit, such Court or Judge thereof shall make an order that the service of such order or other process be made by publication, in the same manner, and with the same effect, as service of summons by publication in ordinary civil actions.

SEC. 12. At the time fixed for the hearing of said order to show cause, or such other time as it may be adjourned to, the debtor may demur to the petition for the same causes as is provided for demurrer in other cases by the Code of Civil Procedure. If the demurrer be overruled, the debtor shall have five days thereafter in which to answer the petition. If the debtor answer the petition, such answer shall contain a specific

denial of the material allegations of the petition controverted by him, and shall be verified in the same manner as pleadings in civil actions; and the issues raised thereon may be tried with or without a jury, according to the practice provided by law for the trial of civil actions.

SEC. 13. If the respondent shall make default, or if, after a trial, the issues are found in favor of the petitioners, the Court shall make an order adjudging that said respondent is, and was at the time of filing the petition, an insolvent debtor, and that the debtor was guilty of the acts and things charged in the petition, or such of those acts and charges as the Court may find to be true; and shall require said debtor, within such time as the Court may designate, not to exceed three days, to file in Court the schedule and inventory provided for in sections three and four of this Act, duly verified as required of a petitioning debtor; *provided*, that in the affidavit of the insolvent touching his property and its disposition, he shall not be required to swear that he has not made any fraudulent preference, or committed any other act in conflict with the provisions of this Act, but he may do so if he desires.

Said order shall further direct the Sheriff of the county, or city and county, where the insolvency petition is filed, or the receiver, if one has been theretofore appointed, to take possession of all the estate, real and personal, of the debtor, except such as may be by law exempt from execution, and of all his deeds, vouchers, books of account, and papers, and to keep the same safely until the appointment of an assignee. Said order shall further forbid the payment of any debts, and the delivery of any property belonging to such debtor, to him, or for his use, and the transfer of any property by him; and shall further appoint a time and place for a meeting of the creditors, to prove their debts, and choose an assignee of the estate, and shall designate a newspaper of general circulation published in the county, or city and county, in which the petition is filed, if there be one; and if there be none, in a newspaper published nearest to such county, or city and county, in which publication of said order shall be made. The time appointed for the election of an assignee shall not be less than eight nor more than ten days from the date of the order of adjudication.

Upon granting of said order, all proceedings against the said insolvent shall be stayed. When a receiver is appointed subsequent to adjudication, or an assignee is chosen as provided for in this Act, the Sheriff shall thereupon deliver to such receiver or assignee, as the case may be, all the property and assets of the insolvent which have come into his possession, and shall be allowed and paid as compensation for his service the same expenses and fees as would by law be collectible if the property had been levied upon and safely kept under attachment.

SEC. 14. A copy of the order provided for in section thirteen of this Act, shall immediately be published by the Clerk of said Court in the newspaper designated therein, as often as such newspaper is printed before the meeting of creditors, and upon the filing, at any time before the date set for such meeting, of the schedule required by said section thirteen, a copy of said order shall be served by the Clerk forthwith by United States mail, postage prepaid, or personally, on all creditors named in said schedule. If said schedule is not filed prior to the day fixed for the election of an assignee, publication of said order as herein required shall be of itself sufficient notice to the creditors of the time and place appointed for the election of an assignee. No order of adjudication upon creditors' petition shall be entered, unless there be first deposited, in addition to the usual cost of commencing said proceedings, a sum of money sufficient to defray the cost of the publication ordered by the Court, and the further sum of five dollars, which is hereby constituted the legal fee of the Clerk for the mailing or service of notice to creditors required in this section.

SEC. 15. If, upon such hearing or trial, the issues are found in favor of the respondent, the proceedings shall be dismissed, and the respondent shall recover costs from the petitioning creditors in the same manner as on the final judgment in civil actions.

SEC. 16. In all cases where the debtor resides out of this State, or has departed from the State, or cannot, after due diligence, be found within the State, or conceals himself to avoid service of the order to show cause, or any other preliminary process or orders in the matter; or is a foreign corporation, having no managing or business agent, Cashier, or Secretary within the State, upon whom service of orders and process can be made, and it therefore becomes necessary to obtain service of process and order to show cause, as provided in section ten of this Act, then the petitioning creditors, upon submitting the affidavits requisite to procure an order of publication, and presenting a bond in double the amount of the aggregate sum of their claims against the debtor, shall be entitled to an order of Court directing the Sheriff of the county, or city and county, in which the matter is pending, to take into his custody a sufficient amount of property of the debtor to satisfy the demands of the petitioning creditors, and the costs of the proceedings. Upon receiving such order of the Court to take into custody the property of the debtor, it shall be the duty of the Sheriff to take possession of the property and effects of the debtor, not exempt from execution, to an extent sufficient to cover the amount provided for, and to prepare within three days from the time of taking such possession, a complete inventory of all the property so taken, and to return it to the Court as soon as completed. The time for taking the inventory and making return thereof may be extended for good cause shown to the Court, or a Judge thereof. The Sheriff shall also prepare a schedule of the names and residences of the creditors, and the amount due to each, from the books of the debtor, or from such other papers or data of the debtor available, that may come to his possession, and shall file such schedule list of creditors, and inventory, with the Clerk of the Court.

SEC. 17. In all cases where property is taken into the custody of the Sheriff, as provided in the preceding section, if the property taken into custody by the Sheriff does not embrace all the property and effects of the debtor not exempt from execution, any other creditor or creditors of the debtor, upon giving bond in double the amount of their claims, singly or jointly, shall be entitled to similar orders, and to like action by the Sheriff, until all claims be provided for, if there be sufficient property or effects. All property taken into custody by the Sheriff, by virtue of the giving of any such bonds, shall be held by him for the benefit of all creditors of the debtor, whose claims shall be duly proved, and as provided in this Act. The bonds provided for in this and the preceding section to procure the order for custody of the property and effects of the debtor, shall be conditioned that if, upon final hearing of the petition in insolvency, the Court shall find in favor of the petitioners, such bonds and all of them shall be void; if the decision be in favor of the debtor, the proceedings shall be dismissed, and the debtor, his heirs, administrators, executors, or assigns, shall be entitled to recover such sum of money as shall be sufficient to cover the damages sustained by him, not to exceed the amount of the respective bonds, in any Court having jurisdiction of the subject and the parties; *provided*, that if either the petitioners or the debtor shall appeal from the decision of the Court upon final hearing of the petition, the appellant shall be required to give bond to the successful party in a sum double the amount of the value of the property in controversy and for the costs of the proceedings. Any person interested in the estate may except to the sufficiency of the sureties on such bond, or bonds. When excepted to, the petitioner's sureties, upon notice to the person excepting of not less than two nor more than five days, must justify before a Judge or County Clerk in the same manner as upon bail and arrest, and upon failure to justify, or if others in their place fail to justify at the time and place appointed, the Clerk or Judge shall issue an order vacating the order to take the property of the debtor into the custody of the Sheriff.

SEC. 18. If in any case proper affidavits and bonds are presented to the Court, or a Judge thereof, asking for and obtaining an order of publication, and an order for the custody of the property of the debtor, as provided in sections sixteen and seventeen of this Act, and thereafter the petitioners shall make it appear satisfactorily to the Court, or a Judge thereof, that the interest of the parties to the proceedings will be subserved by a sale thereof, the Court may order such property to be sold, in the same manner as property is sold under execution, the proceeds to be deposited in the Court, to abide the result of the proceedings.

ARTICLE IV.

ASSIGNEES.

SEC. 19. At a meeting of the creditors in open Court, those being entitled to vote, as provided by section seven, shall proceed to the election of one assignee. In electing an assignee, the opinion of the majority in amount of claims shall prevail. The Clerk of the Court shall keep a minute of the deliberations of said creditors, and of the election and appointment of an assignee, and enter the same upon the records of the Court. The assignee shall file, within five days, unless the time be extended by the Court, with the Clerk, a bond, in an amount to be fixed by the Court, to the State of California, with two or more sufficient sureties, approved by the Court, and conditioned for the faithful performance of the duties devolving upon him. The bond shall not be void upon the first recovery, but may be sued upon from time to time by any creditor aggrieved, in his own name, until the whole penalty be exhausted. The sureties on such bond may be required to justify, upon the application of any party interested, in the same manner as bail upon arrest in civil cases.

SEC. 20. If, on the day appointed for the meeting, creditors do not attend, or refuse to elect an assignee; or if, after election, the assignee shall fail to qualify within the proper time, or if a vacancy occurs by death or otherwise, it shall be lawful for the Court to appoint an assignee and fix the amount of his bond.

SEC. 21. As soon as an assignee is elected or appointed and qualified, the Clerk of the Court shall, by an instrument under his hand and seal of the Court, assign and convey to the assignee all the estate, real and personal, of the debtor, with all his deeds, books, and papers relating thereto, and such assignment shall relate back to the commencement of the proceedings in insolvency, and shall relate back to the acts upon which the adjudication was founded, and by operation of law shall vest the title to all such property and estate, both real and personal, in the assignee, although the same is then attached on mesne process, as the property of the debtor, and shall dissolve any attachment made within one month next preceding the commencement of the insolvency proceedings. Such assignment shall operate to vest in the assignee all of the estate of the insolvent debtor not exempt by law from execution. Whenever such assignment shall dissolve an attachment as herein provided, it shall also vacate any judgment made or entered, and dissolve and set aside any execution levied in any action or proceeding against the debtor commenced subsequently to the action in which the attachment is dissolved.

SEC. 22. The assignee shall have the right to recover all the estate, debts, and effects of said insolvent. If, at the time of the commencement of proceedings in insolvency, an action is pending in the name of the debtor, for the recovery of a debt or other thing which might or ought to pass to the assignee by the assignment, the assignee shall be

allowed and admitted to prosecute the action, in like manner and with like effect as if it had been originally commenced by him. If there are any rights of action in favor of the insolvent for damages, on any account, for which action is not pending, the assignee shall have the right to prosecute the same with the same effect as the insolvent might have done himself if no proceedings in insolvency had been instituted. In suits prosecuted by the assignee, a certified copy of the assignment made to him shall be conclusive evidence of his authority to sue.

SEC. 23. The assignee shall, within one month after the making of the assignment to him, cause the same to be recorded in every county, or city and county, within this State, where any lands owned by the debtor are situated, and the record of such assignment, or a duly certified copy thereof, shall be conclusive evidence thereof in all Courts. If the schedule and inventory required by this Act have not been filed by the debtor, the assignee shall, within one month after his election, prepare and file such schedule and inventory from the best information he can obtain; and shall thereupon serve notice by United States mail, postage prepaid, or personally, on all creditors named in such schedule, whose claims have not been filed, to forthwith prove their demands.

SEC. 24. Any assignee may at any time, by writing filed in Court, resign his appointment, having first settled his accounts, and delivered up all the estate to such successor as the Court shall appoint; *provided*, that if, in the discretion of the Court, the circumstances of the case require it, upon good cause being shown, the Court may, at any time before such settlement of account and delivery of the estate shall have been completed, revoke the appointment of such assignee and appoint another in his stead. The liability of the outgoing assignee, or of the sureties on his bond, shall not be in any manner discharged, released, or affected by such appointment of another in his stead.

SEC. 25. The said assignee shall have power:

1. To sue in his own name and recover all the estate, debts, and things in action, belonging or due to such debtor, and no set-off or counter-claim shall be allowed in any such suit, for any debt, unless it was owing to such creditor by such debtor at the time of the adjudication of insolvency.

2. To take into his possession all the estate of such debtor except property exempt by law from execution, whether attached or delivered to him, or afterward discovered, and all books, vouchers, evidence of indebtedness, and securities belonging to the same.

3. In case of a non-resident absconding or concealed debtor, to demand and receive of every Sheriff who shall have attached any of the property of such debtor, or who shall have in his possession any moneys arising from the sale of such property, all such property and moneys, on paying him his lawful costs and charges for attaching and keeping the same.

4. From time to time to sell at public auction, all the estate, real and personal, vested in him as such assignee, which shall come to his possession and as ordered by the Court.

5. On such sales to execute the necessary conveyances and bills of sale.

6. To redeem all valid mortgages and conditional contracts, and all valid pledges of personal property, and to satisfy any judgments which may be an incumbrance on any property sold by him, or to sell such property subject to such mortgage, contracts, pledges, or judgments.

7. To settle all matters and accounts between such debtor and his debtors, subject to the approval of the court.

8. Under the order of the Court appointing him, to compound with any person indebted to such debtor, and thereupon to discharge all demands against such person.

9. To have and recover from any person receiving a conveyance, gift, transfer, payment, or assignment, made contrary to any provision of this Act, the property thereby transferred or assigned, or in case a redelivery of the property cannot be had, to recover the value thereof, with damages for the detention.

SEC. 26. The insolvent shall, either before or on the day appointed for the meeting of creditors, deliver to the Court all the commercial or account books he may have kept, which books shall be deposited in the Clerk's office of said Court. Said insolvent shall also deliver to the Court at the same time, all vouchers, notes, bonds, bills, securities, or other evidences of debt, in any manner relating to or having any bearing upon or connection with the property surrendered by said debtor, and all such papers or securities shall be deposited in the Clerk's office of said Court, and the Clerk shall hand them over, together with the books of the insolvent, to the assignee who may be appointed.

SEC. 27. If any person, before the assignment is made, having notice of the commencement of proceedings in insolvency, or having reason to believe that insolvency proceedings are about to be commenced, embezzles or disposes of any of the moneys, goods, chattels, or effects of the insolvent, he is chargeable therewith, and liable to an action by the assignee for double the value of the property so embezzled or disposed of, to be recovered for the benefit of the estate.

SEC. 28. The same penalties, forfeitures, and proceedings by citation, examination, and commitment, shall apply on behalf of an assignee against persons suspected of having concealed, embezzled, conveyed away, or disposed of any property of the debtor, or of having possession or knowledge of any deeds, conveyances, bonds, contracts, or other writings which relate to any interest of the debtor in any real or personal estate, as provided in the case of estates of deceased persons in sections one thousand four hundred and fifty-nine, one thousand four hundred and sixty, and one thousand four hundred and sixty-one of the Code of Civil Procedure.

SEC. 29. The assignee shall as speedily as possible convert the estate, real and personal, into money. He shall keep a regular account of all moneys received by him as

assignee, to which every creditor or other person interested therein may, at all reasonable times, have access. No private sale of any property of the estate of an insolvent debtor shall be valid, unless made under the order of the Court upon a petition in writing, which shall set forth the facts showing the sale to be necessary. Upon filing the petition, notice of at least ten days shall be given by publication and mailing, in the same manner as is provided in section eight of this Act. If it appears that a private sale is for the best interests of the estate, the Court shall order it to be made.

Sec. 30. In all cases where there has been personal service of the order to show cause, or voluntary appearance after order of publication, when it appears to the satisfaction of the Court that the estate of the debtor, or any part thereof, is of a perishable nature, or is liable to deteriorate in value, or is disproportionately expensive to keep, the Court may order the same to be sold in such manner as may be deemed most expedient, under the direction of the Sheriff, receiver, or assignee, as the case may be, who shall hold the funds received in place of the property sold until further order of the Court.

Sec. 31. Outstanding debts, or other property due or belonging to the estate, which cannot be collected and received by the assignee without unreasonable or inconvenient delay or expense, may be sold and assigned in like manner as the remainder of the estate. If there are any rights of action for damages in favor of the insolvent prior to the commencement of the insolvency proceedings, the same may, with the approval of the Court, be compromised.

Sec. 32. Assignees shall be allowed all necessary expenses in the care, management, and settlement of the estate, and shall be entitled to charge and receive for their services commissions upon all sums of money coming to their hands and accounted for by them, as follows: For the first thousand dollars, at the rate of seven per cent; for all above that sum and not exceeding ten thousand dollars, at the rate of five per cent; and for all above that sum, at the rate of four per cent; *provided, however*, that if the person acting as assignee was receiver of the property of the estate pending the election of an assignee, any compensation allowed him as such receiver shall be deducted from the compensation to which he otherwise would be entitled as such assignee.

Sec. 33. At the expiration of three months from the appointment of the assignee in any case, or as much earlier as the Court may direct, a time and place shall be fixed by the Court at which the assignee shall exhibit to the Court and to the creditors, and file just and true accounts of all his receipts and payments verified by his oath, and a statement of the property outstanding, specifying the cause of its outstanding, also what debts or claims are yet undetermined, and stating what sum remains in his possession, and shall accompany the same with an affidavit that notice by mail has been given to all creditors named in the schedule filed by the debtor or the assignee, that said accounts will be heard at a time specified in such notice, which time shall not be less than ten nor more than fifteen days from the filing of such accounts. At the hearing the Court shall audit the accounts, and any person interested may appear and file exceptions thereto and contest the same, and thereupon the Court may order a dividend paid to those creditors whose claims have been proven and allowed. Thereafter, further accounts, statements, and dividends shall be made in like manner as often as occasion requires; *provided, however*, that it shall be the duty of the assignee to file his final account within one year from the date of the order of adjudication, unless the Court, after notice to creditors, shall grant further time, upon a satisfactory showing that great loss and waste would result to the estate by reason of the conversion of the property into money within said time, or that it has been impossible to do so by reason of litigation.

Sec. 34. The Court shall at any time, upon the motion of any two or more creditors, require the assignee to file his account in the manner, and upon giving the notice specified in the preceding section, and if he has funds subject to distribution, he shall be required to distribute them without delay.

Sec. 35. All creditors whose debts are duly proved and allowed shall be entitled to share in the property and estate *pro rata* without priority or preference whatever, other than as provided in this Act and in section one thousand two hundred and four of the Code of Civil Procedure; *provided*, that any debt proved by any person liable as bail, surety, guarantor, or otherwise, for the debtor, shall not be paid to the person so proving the same until satisfactory evidence shall be produced of the payment of such debt by such person so liable; and the share to which such debt would be entitled may be paid into Court, or otherwise held for the benefit of the party entitled thereto, as the Court may direct.

Sec. 36. Whenever any dividend has been duly declared, the distribution of it shall not be stayed or affected by reason of debts being subsequently proved, but the creditors proving such debts shall be entitled to a dividend equal to those already received by the other creditors, before any further dividend is made to the latter; *provided*, the failure to prove such claim shall not have resulted from his own neglect.

Sec. 37. Should the assignee refuse or neglect to render his accounts as required by sections thirty-three and thirty-four of this Act, or pay over a dividend when he shall have, in the opinion of the Court, sufficient funds for that purpose, the Court shall immediately discharge such assignee from his trust, and shall have power to appoint another in his place. The assignee so discharged shall forthwith deliver over to the assignee appointed by the Court all the funds, property, books, vouchers, or securities belonging to the insolvent, without charging or retaining any commission or compensation for his personal services.

SEC. 38. Preparatory to the final account and dividend, the assignee shall submit his account to the Court, and file the same, and shall at the time of filing accompany the same with an affidavit that a notice by mail has been given to all creditors who have proved their claims, that he will apply for a settlement of his account and for a discharge from all liability as assignee, at a time specified in such notice, which time shall not be less than ten or more than twenty days from such filing. At the hearing, the Court shall audit the account, and any person interested may appear and file exceptions in writing, and contest the same. The Court thereupon shall settle the account, and order a dividend of any portion of the estate remaining undistributed, and shall discharge the assignee, subject to compliance with the order of the Court, from all liability as assignee to any creditor of the insolvent.

ARTICLE V.

PARTNERSHIPS AND CORPORATIONS.

SEC. 39. Two or more persons who are partners in business, or the surviving partner of any firm, may be adjudged insolvent, either on the petition of such partners, or any one of them, or on the petition of five or more creditors of the partnership, in which case an order shall be issued in the manner provided by this Act, upon which all the joint stock and property of the partnership, and also all of the separate estate of each of the partners, shall be taken, excepting such parts thereof as may be exempt by law, and all the creditors of the company, and the separate creditors of each partner, shall be allowed to prove their respective debts; and the assignee shall be chosen by the creditors of the copartnership, and shall also keep separate accounts of the joint stock or property of the copartnership, and the separate estate of each member thereof, and after deducting out of the whole amount received by such assignee the whole amount of the expenses and disbursements, the net proceeds of the joint stock shall be appropriated to pay the creditors of the copartnership, and the net proceeds of the separate estate of each partner shall be appropriated to pay his separate creditors; and if there shall be any balance of the separate estate of any partner after the payment of his separate debts, such balance shall be added to the joint stock for the payment of the joint creditors; and if there shall be any balance of the joint stock after the payment of the joint debts, such balance shall be divided and appropriated to and among the separate estate of the several partners according to their respective right and interest therein, and as it would have been if the partnership had been dissolved without any insolvency; and the sum so appropriated to the separate estate of each partner shall be applied to the payment of his separate debts, and the certificate of discharge shall be granted or refused to each partner as the same would or ought to be if the proceedings had been by or against him alone under this Act; and in all other respects the proceedings as to the partners shall be conducted in the like manner as if they had been commenced and prosecuted by or against one person alone. If such copartners reside in different counties, the Court in which the petition is first filed shall retain exclusive jurisdiction over the case. If the petition be filed by less than all the partners of a copartnership, those partners who do not join in the petition shall be ordered to show cause why they, as individuals, and said copartnership, should not be adjudged to be insolvent, in the same manner as other debtors are required to show cause upon a creditors' petition, as in this Act provided; and no order of adjudication shall be made in said proceedings until after the hearing of said order to show cause; *provided*, that in case of proceedings by or against surviving partners as such, only the partnership interest of deceased partners shall be subject to the control of the Court in the insolvency proceeding; but the surviving partner, assignee, or creditors may pursue the property of the deceased partners in the Court having jurisdiction thereof in probate proceedings.

SEC. 40. The provisions of this Act shall apply to corporations, and upon the petition of any officer of any corporation, duly authorized by the vote of the Board of Directors or Trustees, at a meeting specially called for that purpose, or by the assent in writing of a majority of the Directors or Trustees, as the case may be, or upon a creditors' petition made and presented in the manner provided in respect to debtors, the like proceedings shall be had and taken as are provided in the case of debtors. All the provisions of the Act which apply to the debtor, or set forth his duties, examination, and liabilities, or prescribe penalties, or relate to fraudulent conveyances, payments, and assignments, apply to each and every officer of any corporation in relation to the same matters concerning the corporation. Whenever any corporation is declared insolvent, all its profits and assets shall be distributed to the creditors; but no discharge shall be granted to any corporation.

ARTICLE VI.

PROOF OF DEBTS.

SEC. 41. All debts due and payable from the debtor at the time of the adjudication of insolvency, and all debts then existing but not payable until a future time, a rebate of interest being made when no interest is payable by the terms of the contract, may be proved against the estate of the debtor.

SEC. 42. All demands against the debtor for or on account of any goods or chattels wrongfully taken, converted, or withheld by him, may be proved and allowed as debts

to the amount of the value of the property so withheld, from the time of the conversion; *provided, however*, that if the assignee, or any creditor whose claim has been proven against the estate, shall request it in writing, the Court shall require the matter of such claim for damages to be tried as an ordinary action at law, to determine the liability of the debtor for such damages.

SEC. 43. If the debtor shall be bound as indorser, surety, bail, or guarantor, upon any bill, bond, note, or other specialty or contract, or for any debt of any person, and his liabilities shall not have become absolute until the adjudication of insolvency, the creditor may prove the same after such liability shall have become fixed, and before the final dividend shall have been declared.

SEC. 44. In all cases of contingent debts, and contingent liabilities contracted by the debtor, and not herein otherwise provided for, the creditor may make claim therefor and have his claim allowed, with the right to share in the dividends, if the contingency shall happen before the order of the final dividend; or he may, at any time, apply to the Court to have the present value of the debt or liability ascertained and liquidated, which shall be done in such manner as the Court shall order, and shall be allowed to prove for the amount so ascertained.

SEC. 45. Any person liable as bail, surety, or guarantor, or otherwise, for the debtor, who shall have paid the debt, or any part thereof, in discharge of the whole, shall be entitled to prove such debt, or to stand in the place of the creditor, if he shall have proved the same, although such payments shall have been made after the proceedings in insolvency were commenced; and any person so liable for the debtor, and who has not paid the whole of said debt, but is still liable for the same, or any part thereof, may, if the creditor shall fail or omit to prove such debt, prove the same in the name of the creditor.

SEC. 46. Where the debtor is liable to pay rent, or other debt falling due at fixed and stated periods, the creditor may prove for a proportionate part thereof up to the time of the insolvency, as if the same became due from day to day, and not at such fixed and stated periods.

SEC. 47. In all cases of mutual debts and mutual credits between the parties, the account between them shall be stated, and one debt set off against the other, and the balance only shall be allowed and paid. But no set-off or counter-claim shall be allowed of a claim in its nature not provable against the estate; *provided*, that no set-off or counter-claim shall be allowed in favor of any debtor to the insolvent of a claim purchased by or transferred to him after the filing of the petition by or against him.

SEC. 48. When a creditor has a mortgage, or pledge of real or personal property of the debtor, or a lien thereon, for securing the payment of a debt owing to him from the debtor, he shall be admitted as a creditor only for the balance of the debt, after deducting the value of such property, to be ascertained by agreement between him and the receiver, if any, and if no receiver, then upon such sum as the Court, or a Judge thereof, may decide to be fair and reasonable, before the election of an assignee or by a sale thereof, to be made in such manner as the Court, or Judge thereof, shall direct; or the creditor may release or convey his claim to the receiver, if any, or if no receiver then to the Clerk of the Court, before the election of an assignee, or to the assignee if an assignee has been elected, upon such property, and be admitted to prove his whole debt. If the value of the property exceeds the sum for which it is so held as security, the assignee may release to the creditor the debtor's right of redemption thereon on receiving such excess; or he may sell the property, subject to the claim of the creditor thereon, and in either case the assignee and creditor, respectively, shall execute all deeds and writings necessary or proper to consummate the transaction. If the property is not sold or released, and delivered up, or its value fixed, the creditor shall not be allowed to prove any part of his debt.

SEC. 49. No creditor, proving his debt or claim, shall be allowed to maintain any suit at law or in equity therefor, against the debtor, but shall be deemed to have waived all right of action and suit against him, and all proceedings already commenced, or unsatisfied judgment already obtained thereon, shall be deemed to be discharged and surrendered thereby; *provided*, that no valid lien existing in good faith thereunder shall be thereby affected; *and further provided*, that a creditor proving his debt or claim shall not be held to have waived his right of action or suit against the debtor where a discharge has been refused or the proceedings have determined without a discharge. And no creditor whose debt is provable under this Act shall be allowed, after the commencement of proceedings in insolvency, to prosecute to final judgment any action therefor against the debtor until the question of the debtor's discharge shall have been determined, and any such suit or proceeding shall, upon the application of the debtor, or of the assignee, be stayed to await the determination of the Court in insolvency on the question of discharge; *provided*, there be no unreasonable delay on the part of the debtor, or of the petitioning creditors, as the case may be, in prosecuting the case to its conclusion; *and provided also*, that if the amount due the creditor is in dispute, the suit, by leave of the Court in insolvency, may proceed to judgment for the purpose of ascertaining the amount due, which amount may be proven in insolvency, but execution shall be stayed as aforesaid; *provided further*, that where a valid lien or attachment has been acquired or secured in any such action, and an undertaking been offered and accepted in lieu of such lien or attachment, the case may be prosecuted to final judgment for the purpose of fixing the liability of the sureties upon such undertaking; but execution against the insolvent upon such judgment shall be stayed.

SEC. 50. Any person who shall have accepted any preference, having reasonable cause to believe that the same was made or given by the debtor contrary to any provision of this Act, shall not prove the debt or claim on account of which the preference was made or given; nor shall he receive any dividend thereon until he shall first have surrendered to the assignee all property, money, benefit, or advantage received by him under such preference.

SEC. 51. The Court may, upon the application of the assignee, or of any creditor of the debtor, or without any application, before or after adjudication in insolvency, examine upon oath the debtor in relation to his property and his estate, and any person tendering or making proof of claims, and may subpoena witnesses to give evidence relating to such matters. All examinations of witnesses shall be had and depositions shall be taken in accordance with and in the same manner as is provided for the Code of Civil Procedure.

ARTICLE VII.

DISCHARGE.

SEC. 52. At any time after the expiration of three months from the adjudication of insolvency, but not later than one year from such adjudication, unless the property of the insolvent has not been converted into money, the debtor may apply to the Court for a discharge from his debts, and the Court shall thereupon order notice to be given to all creditors who have proved their debts, to appear, on a day appointed for that purpose, and show cause why a discharge should not be granted to the debtor; said notice shall be given by mail and by publication at least once a week, for four weeks, in a newspaper published in the county, or city and county, or, if there be none, in a newspaper published nearest such county, or city and county; *provided*, that if no debts have been proven, such notice shall not be required.

SEC. 53. No discharge shall be granted, or if granted shall be valid, if the debtor shall have sworn falsely in his affidavit annexed to his petition, schedule, or inventory, or upon any examination in the course of the proceedings in insolvency, in relation to any material fact concerning his estate, or his debts, or to any other material fact; or if he has concealed any part of his estate or effects, or any books or writing relating thereto; or if he has been guilty of fraud or willful neglect in the care, custody, or delivery to the assignee of the property belonging to him at the time of the presentation of his petition and inventory, excepting such property as he is permitted to retain under the provisions of this Act, or if he has caused or permitted any loss or destruction thereof; or if, within one month before the commencement of such proceedings, has procured his lands, goods, moneys, or chattels to be attached, or seized on execution; or if he has destroyed, mutilated, altered, or falsified any of his books, documents, papers, writings, or securities, or has made, or been privy to the making of, any false or fraudulent entry in any book of account or other document with intent to defraud his creditors; or if he has given any fraudulent preference, contrary to the provisions of this Act, or made any fraudulent payment, gift, transfer, conveyance, or assignment of any part of his property, or has lost any part thereof in gaming; or has admitted a false or fictitious debt against his estate, or if, having knowledge that any person has proven such false or fictitious debt, he has not disclosed the same to his assignee within one month after such knowledge; or if, being a merchant or tradesman, he has not, subsequently to the passage of this Act, kept proper books of account; or if he, or any other person on the account, or in his behalf, has influenced the action of any creditor, at any stage of the proceedings, by any pecuniary consideration or obligation; or if he has, in contemplation of becoming insolvent, made any pledge, payment, transfer, assignment, or conveyance of any part of his property, directly or indirectly, absolutely or conditionally, for the purpose of preferring any creditor or person having a claim against him, or who is, or may be under liability for him, or for the purpose of preventing the property from coming into the hands of the assignee, or of being distributed under this Act in satisfaction of his debts; or if he has been convicted of any misdemeanor under this Act, or has been guilty of fraud contrary to the true intent of this Act; or, in case of voluntary insolvency, has received the benefits of this or any other Act of insolvency or bankruptcy within three years next preceding his application for discharge; or if insolvency proceedings in which he could have applied for a discharge are pending by or against him in the Superior Court of any other county, or city and county, in the State; *provided further*, that in case of voluntary insolvency, no debtor shall receive a discharge from his liabilities unless the value of his estate surrendered to the Sheriff, receiver, or assignee shall be reasonably worth twenty-five per cent of the aggregate amount of the claims proven against the estate. The value of such estate, if disputed by any creditor having proven his claim, shall be determined by three appraisers to be appointed by the Court, who shall be governed by the provisions of the Code of Civil Procedure for the appraisal of the estates of deceased persons. And before any discharge is granted, the debtor shall take and subscribe an oath to the effect that he has not done, suffered, or been privy to any act, matter, or thing specified in this Act, as grounds for withholding such discharge or as invalidating such discharge, if granted.

SEC. 54. Any creditor opposing the discharge of a debtor shall file specifications in writing, of the grounds of his opposition, and after the debtor has filed and served his answer thereto, which pleadings shall be verified, the Court shall try the issue or issues raised, with or without a jury, according to the practice provided by law in civil actions.

SEC. 55. If it shall appear to the Court that the debtor has in all things conformed to his duty under this Act, and that he is entitled under the provisions thereof to receive a discharge, the Court shall grant him a discharge from all his debts, except as herein-after provided, and shall give him a certificate thereof, under the seal of the Court, in substance as follows: In the Superior Court of the county of —, State of California. Whereas, — has been duly adjudged an insolvent under the insolvent laws of this State, and appears to have conformed to all the requirements of law in that behalf, it is therefore ordered by the Court that said — be forever discharged from all debts and claims, which by said insolvent laws are made provable against his estate, and which existed on the — day of —, on which the petition of adjudication was filed by (or against) him, excepting such debts, if any, as are by said insolvent laws excepted from the operation of a discharge in insolvency. Given under my hand, and the seal of the Court, this — day of — A. D. —. Attest, —, clerk. (Seal) —, Judge.

SEC. 56. No debt created by fraud or embezzlement of the debtor, or his defalcation as a public officer, or while acting in a fiduciary character, shall be discharged under this Act, but the debt may be proved, and the dividend thereon shall be a payment on account of said debt; and no discharge granted under this Act shall release, discharge, or affect any person liable for the same debt, for or with the debtor, either as partner, joint contractor, indorser, surety, or otherwise.

SEC. 57. A discharge, duly granted under this Act, shall, with the exceptions aforesaid, release the debtor from all claims, debts, liabilities, and demands, set forth in his schedule, or which were or might have been proved against his estate in insolvency, and may be pleaded by a simple averment that on the day of its date such discharge was granted to him, setting forth the same in full, and the same shall be a complete bar to all suits brought on any such debts, claims, liabilities, or demands, and the certificate shall be *prima facie* evidence in favor of such fact and of the regularity of such discharge; *provided, however*, that any creditor of said debtor, whose debt was proved or provable against the estate in insolvency, who shall see fit to contest the validity of such discharge on the ground that it was fraudulently obtained, and who has discovered the facts constituting the fraud subsequent to the discharge, may, at any time within two years after the date thereof, apply to the Court which granted it to set it aside and annul the same, or if the same shall have been pleaded, the effect thereof may be avoided collaterally upon any such grounds.

SEC. 58. The refusal of a discharge to the debtor shall not affect the administration and distribution of his estate under the provisions of this Act.

ARTICLE VIII.

FRAUDULENT PREFERENCES AND TRANSFERS.

SEC. 59. If any debtor being insolvent, or in contemplation of insolvency, within one month before the filing of a petition by or against him, with a view to give a preference to any creditor or person having a claim against him, or who is under any liability for him, procures any part of his property to be attached, sequestered, or seized on execution, or makes any payment, pledge, mortgage, assignment, transfer, sale, or conveyance of any part of his property, either directly or indirectly, absolutely or conditionally, to any one, the person receiving such payment, pledge, mortgage, assignment, transfer, sale, or conveyance, or to be benefited thereby, or by such attachment or seizure, having reasonable cause to believe that such debtor is insolvent, and that such attachment, seizure, payment, pledge, mortgage, conveyance, transfer, sale, or assignment is made with a view to prevent his property from coming to his assignee in insolvency, or to prevent the same from being distributed ratably among his creditors, or to defeat the object of, or in any way hinder, impede, or delay the operation of, or to evade any of the provisions of this Act, such attachment, sequestration, seizure, payment, pledge, mortgage, transfer, sale, assignment, or conveyance is void, and the assignee, or the receiver, may recover the property, or the value thereof, as assets of such insolvent debtor; and if such payment, pledge, mortgage, conveyance, sale, assignment, or transfer is not made in the usual and ordinary course of business of the debtor, or if such seizure or sequestration is made under a judgment which the debtor has confessed or offered to allow, that fact shall be *prima facie* evidence of fraud.

All assignments, transfers, conveyances, mortgages, or incumbrances of real estate shall be deemed, under this section, to have been made at the time the instrument conveying or affecting such realty was filed for record in the County Recorder's office of the county, or city and county, where the same is situated.

ARTICLE IX.

PENAL CLAUSES.

SEC. 60. From and after the taking effect of this Act, if any debtor or insolvent shall, after the commencement of proceedings in insolvency, secrete or conceal any property belonging to his estate; or part with, conceal, or destroy, alter, mutilate, or falsify, or cause to be concealed, destroyed, altered, mutilated, or falsified, any book, deed, document, or writing relating thereto; or remove, or cause to be removed, the same or any

part thereof, with intent to prevent it from coming into the possession of the assignee in insolvency, or to hinder, impede, or delay his assignee in recovering or receiving the same; or make any payment, gift, sale, assignment, transfer, or conveyance of any property belonging to his estate, with like intent, or shall spend any part thereof in gaming; or shall, with intent to defraud, willfully and fraudulently conceal from his assignee, or fraudulently or designedly omit from his schedule any property or effects whatsoever; or if in case of any person having, to his knowledge or belief, proved a false or fictitious debt against his estate, he shall fail to disclose the same to his assignee within one month after coming to the knowledge or belief thereof; or shall attempt to account for any of his property by fictitious losses or expenses; or shall, within three months before commencement of proceedings of insolvency, under the false pretense of carrying on business and dealing in the ordinary course of trade, obtain on credit from any person any goods or chattels, with intent to defraud; or shall, with intent to defraud his creditors, within three months next before the commencement of proceedings in insolvency, pawn, pledge, or dispose of otherwise than by *bona fide* transactions in the ordinary way of his trade, any of his goods and chattels which have been obtained on credit and remain unpaid for, he shall be deemed guilty of misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the county jail for not less than three months nor more than two years.

ARTICLE X.

MISCELLANEOUS.

SEC. 61. If any debtor shall die after the order of adjudication, the proceedings shall be continued and concluded in like manner and with like validity and effect as if he had lived.

SEC. 62. Pending proceedings by or against any person, copartnership, or corporation, no statute of limitations of this State shall run against a claim which in its nature is provable against the estate of the debtor.

SEC. 63. Any creditor, at any stage of the proceedings, may be represented by his attorney or duly authorized agent.

SEC. 64. It shall be the duty of the Court having jurisdiction of the proceeding to exempt and set apart, for the use and benefit of said insolvent, such real and personal property as is by law exempt from execution; and also a homestead, in the manner as provided in section one thousand four hundred and sixty-five of the Code of Civil Procedure. But no property or homestead shall be set apart, as aforesaid, until it is first proved that notice of the hearing of the application therefor has been duly given by the Clerk, by causing to be posted in at least three public places in the county, at least ten days prior to the time of such hearing, setting forth the name of said insolvent debtor, and the time and place appointed for the hearing of such application, which said notice shall briefly indicate the homestead sought to be exempted or the property sought to be set aside; and the decree must show that such proof was made to the satisfaction of the Court, and shall be conclusive evidence of that fact.

SEC. 65. The filing of a petition by or against a debtor upon which, or upon an amendment of which, an order of adjudication in insolvency may be made, shall be deemed to be the commencement of proceedings in insolvency under this Act.

SEC. 66. Words used in this Act in the singular include the plural, and in the plural, the singular, and the word "debtor" includes partnerships and corporations.

SEC. 67. Upon the filing of either a voluntary or involuntary petition in insolvency, a receiver may be appointed by the Court in which the proceeding is pending, or by a Judge thereof, at any time before the election of an assignee, when it appears by the verified petition of a creditor that the assets of an insolvent, or a considerable portion thereof, have been pledged, mortgaged, transferred, assigned, conveyed, or seized, on legal process, in contravention or violation of the provisions of section fifty-nine of this Act, and that it is necessary to commence an action to recover the same.

The appointment, oath, undertaking, and powers of such receiver shall in all respects be regulated by the general laws of the State applicable to receivers.

When an assignee is chosen, and has qualified, the receiver shall forthwith return to Court an account of the assets and property which have come into his possession, and of his disbursements, and a report of all actions or proceedings commenced by him for the recovery of any property belonging to the estate, and the Court shall thereupon summarily hear and settle the receiver's account, and shall allow him a just compensation for his services, including a reasonable attorney's fee, whereupon the receiver shall deliver all property, assets, or effects remaining in his hands, to the assignee, who shall be substituted for the receiver in all pending actions or proceedings.

SEC. 68. All sections of the Code of Civil Procedure of the State of California relating to contempt are hereby made applicable to all proceedings under this Act.

SEC. 69. When an attachment has been made and is not dissolved before the commencement of proceedings in insolvency, or is dissolved by an undertaking given by the defendant, if the claim upon which the attachment suit was commenced is proved against the estate of the debtor, the plaintiff may prove the legal costs and disbursements of the suit, and of the keeping of the property, and the amount thereof shall be a preferred debt. In all contested matters in insolvency the Court may, in its discretion, award costs to either party, to be paid by the other, or to either or both parties, to be

paid out of the estate, as justice and equity may require; in awarding costs, the Court may issue execution therefor. In all involuntary cases under this Act, the Court shall allow the petitioning creditors out of the estate of the debtor, if any adjudication of insolvency be made, as a preferred claim, all legal costs and disbursements incurred by them in that behalf.

SEC. 70. The Court may, upon the application of the debtor, if it be a voluntary petition, or of the petitioning creditors, if a creditors' petition, dismiss the petition and discontinue the proceedings at any time before the appointment of an assignee, upon giving ten days' notice to the creditors, in the same manner that notice of the time and place of election of an assignee is given, if no creditor files written objection to such dismissal; *provided, however*, that by consent of all creditors the proceedings may be dismissed at any time. After the appointment of an assignee, no dismissal shall be made without the consent of all parties interested in or affected thereby.

SEC. 71. An appeal may be taken to the Supreme Court in the following cases:

1. From an order granting or refusing an adjudication of insolvency;
2. From an order made at the hearing of any account of an assignee, allowing or rejecting a creditor's claim, in whole or in part;
3. From an order granting or overruling a motion for a new trial;
4. From an order settling an account of an assignee;
5. From an order against or in favor of setting apart homestead or other property claimed as exempt from execution;
6. From an order granting or refusing a discharge to the debtor.

The notice, undertaking, and procedure on appeal shall conform to the general laws of this State regulating appeals in civil cases, except that when an assignee has given an official undertaking and appeals from a judgment or order in insolvency, his official undertaking stands in the place of an undertaking on appeal, and the sureties therein are liable on such undertaking; *provided, however*, that an appeal from an order granting or refusing an adjudication of insolvency shall not stay proceedings unless a written undertaking be entered into on the part of the appellant, with at least two sureties, in such an amount as the Court or a Judge thereof may direct, but not less than double the value of the property involved, to the effect that if the order appealed from be affirmed, or the appeal dismissed, appellant will pay all costs and damages which the adverse party may sustain by reason of the appeal and the stay of proceedings.

SEC. 72. The Insolvent Act of eighteen hundred and eighty, and all amendments thereto, are hereby repealed; *provided, however*, that such repeal shall in no manner invalidate or affect any case in insolvency instituted and pending in any Court on and prior to the day when this Act shall take effect.

Committee Substitute for Senate Bills Nos. 45, 52, 54, and 77 adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

President pro tem. Hon. Thomas Flint, Jr., in the chair.

Senate Bill No. 106—An Act authorizing and requiring Boards or Commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

During the second reading of the bill, Senator Mathews moved to amend as follows:

Strike out of section one, line six, printed bill, the word "of," and insert in lieu thereof the word "or."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 33—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Passed on file, and referred to Committee on Judiciary temporarily, to retain its place on file.

Senate Bill No. 34—An Act to amend section five hundred and twenty-

seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Passed on file, and referred to Committee on Judiciary temporarily, to retain its place on file.

WITHDRAWAL OF BILL.

On motion of Senator Mahoney, Senate Bill No. 274 was, with the unanimous consent of the Senate, withdrawn.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

During the second reading of the bill the following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 270.

An Act to repeal section five hundred and thirty-seven of the Penal Code, relating to defrauding the proprietors of inns and boarding houses.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five hundred and thirty-seven of the Penal Code, which was approved March 1, 1889, and which reads as follows:

537. Any person who obtains any food or accommodation at an inn or boarding house without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at an inn or boarding house by the use of any false pretense or who, after obtaining credit or accommodation at any inn or boarding house, absconds and surreptitiously removes his baggage therefrom, without paying for his food or accommodation, is guilty of a misdemeanor (approved March 1, 1889), is hereby repealed.

SEC. 2. This Act shall take effect immediately.

Substitute read and adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 306—An Act to amend section one thousand and ninety-eight of the Penal Code of California, in relation to the trial of criminal cases either separately or jointly, in the discretion of the Court.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

The bill having been in part considered on a previous day, its second reading was proceeded with.

During the second reading of section two of the bill, the following committee amendment was submitted:

In line five of section two, printed bill, before the word "room" insert the words "office or the."

MOTION.

During the discussion on the proposed committee amendment to Senate Bill No. 215, the hour for the Senate recess was extended, on motion of Senator Voorheis, until the subject-matter was disposed of.

The question being the adoption of the above committee amendment to section two.

The same was adopted.

RECESS.

At twelve o'clock and fifteen minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Arms, Androns, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

NOTICE OF RECONSIDERATION.

Senator McAllister gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 81 was this day finally passed.

AMENDMENT TO JOURNAL.

On motion of Senator Ford, the Journal of yesterday was amended in the report of the Sub-Committee of the Committee on State Prisons and Prison Buildings, by inserting the following items in committee's recommendation:

Hospital building.....	\$6,000 00
Completion of attic in administration building.....	600 00
Also: change line seven, page eleven, the total so as to read:	
For maintenance of four hundred and fifty children two years.....	250,000 00

GENERAL FILE—(RESUMED).

Consideration of Senate Bill No. 215 resumed.

During the second reading of the bill, the following committee amendments were submitted:

In line five of section two, printed bill, before the word "room" insert the words "office or the."

Amendment adopted.

Also: In same section, line eight, strike out the word "negligence" and insert the word "acts."

Adopted.

Also: In line eleven, same section, strike out the words "made a special agreement in writing to the contrary with," and insert the words "given a receipt in writing therefor to."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTION.

Senator Arms moved to take up messages from the Governor.
So ordered.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 368.

JAMES H. BUDD, Governor.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than fifteen hundred.

During the second reading of the bill, the following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 195.

An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Act of the Legislature entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893, is hereby amended to read as follows:

1. The City Council of any city in this State, having a population of more than one thousand five hundred and not exceeding one hundred thousand, may, by ordinance duly passed, and under such lawful rules and regulations which it may adopt, provide for the exhuming, taking up, and removal from cemeteries within the boundary lines of such city, or from cemeteries owned and controlled by such city, that may have been located without its boundaries (and in which such cemeteries no interments of human remains have been made for a period of not less than two years), of all the human remains interred in such cemeteries.

Committee substitute read and adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTION.

On motion of Senator Orr, the following bills, having been adversely reported upon by the Senate committees, were passed on file:

Senate Bill No. 297—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Senate Bill No. 299—An Act to amend section one thousand two

hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Senate Bill No. 312—An Act entitled an Act to amend chapter one hundred and seventeen of the Penal Code, concerning vagrants.

Senate Bill No. 301—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Senate Bill No. 49—An Act to amend section seventy-three of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Courts.

Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Senate Bill No. 362—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Senate Bill No. 300—An Act to amend section one thousand two hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead and the value thereof.

Senate Bill No. 296—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Senate Bill No. 298—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Senate Bill No. 357—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Senate Bill No. 358—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Senate Bill No. 359—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Senate Bill No. 360—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Senate Bill No. 342—An Act to amend sections eight hundred and

eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

Senate Bill No. 443—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven of chapter seven of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 133—An Act to prohibit officers or employes of savings banks from holding any office in any national, commercial, or State bank, and to prohibit the location of any savings bank or its continuance in business in any building in which the business of a national, State, or commercial bank is conducted.

Senate Bill No. 154—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage.

Senate Bill No. 156—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens and the transfer and satisfaction thereof.

Senate Bill No. 157—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Senate Bill No. 158—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Senate Bill No. 380—An Act to amend section one thousand two hundred and sixty-three, by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom.

MOTION.

On motion of Senator Beard, Senate Bill No. 5—An Act to amend section six hundred and two of the Penal Code—was re-referred to Committee on Judiciary, but to retain its place on file.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 481—An Act to regulate the practice of architecture.

Passed on file, on motion of Senator Mathews.

Senate Bill No. 376—An Act to amend section three thousand four

hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

During the second reading of the bill, the following committee amendment was submitted:

Insert the following in printed bill: On line eleven, the word "only" after the word "cast."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

During the second reading of the bill, the following committee amendments were submitted:

Amend section three, line three, printed bill, by striking out the word "company" and inserting in lieu thereof the words "corporation, association, partnership, or individual."

Adopted.

Also: Amend section four, line two, printed bill, by adding after the word "shall" the following: "maintain the same unimpaired after providing for all liabilities for losses reported, expenses, taxes, and reinsurance of all outstanding risks, as provided in section six hundred and two of the Political Code, and shall."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 12—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State.

During the second reading of the bill, the following committee amendments were submitted:

AMENDMENT No. 1.

Amend second line of title, by adding after the word "corporations" the word "partnerships."

Adopted.

AMENDMENT No. 2.

Amend section one by adding after the word "corporations," line two, printed bill, the word "partnerships."

Adopted.

AMENDMENT No. 3.

Amend section three by striking out the word "company," in the third line, printed bill, and inserting in lieu thereof the words "corporation, partnership."

Adopted.

AMENDMENT No. 4.

Also by adding at the end of said section the following: "upon said corporation, association, partnership, or individual fully complying with all the laws of this State."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

RESOLUTION.

By Senator Hart:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to have the lobby of the Senate Chamber covered with matting.

Senator Hart asked unanimous consent for the immediate consideration of the above resolution.

Granted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, and Whitehurst—27.

NOES—Senator Mathews—1.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 10—An Act to prescribe conditions upon which certain insurance associations, known as Lloyds, may be admitted to transact insurance business in this State.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 13—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Read second time, ordered engrossed, and on file for third reading.

MOTION.

Senator Androus moved that Senate Bill No. 429, referred to Committee on Finance, be recalled for immediate consideration.

So ordered.

RESOLUTION.

By Senator Androus:

Resolved, That Senate Bill No. 429 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed on its final passage.

The roll was called, and Senate Bill No. 429 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—37.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote :

AYES—Senators Aram, Arms, Andrews, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Langford: Senate Bill No. 652—An Act entitled an Act to provide for the inheriting of community property by a married woman, upon the death of the husband intestate.

Referred to Committee on Judiciary.

By Senator Hoyt: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Referred to Committee on Claims.

By Senator Gleaves: Senate Bill No. 654—An Act to provide for the licensing of public accountants.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LINDER, Chairman.

Senate Bill No. 465 ordered on file.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Senate Bill No. 529 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the report of the Sub-Committee on Public Buildings other than Prison Buildings, in regard to their account for mileage due from their visit to the State Normal School at Los Angeles, the Southern California State Asylum for the Insane and Inebriates at Highlands, and the various sites offered for a Normal School in San Diego County—have had the same under consideration, and respectfully report the same back, and recommend that the following resolution be adopted:

Resolved, That the sum of four hundred and ninety-five dollars and forty cents is hereby appropriated out of the fund for the contingent expenses of the Senate, for the purpose of paying the mileage due the Sub-Committee on Public Buildings other than Prison Buildings, and the Controller is hereby directed to draw his warrant in favor of S. N. Androus for said amount, and the Treasurer is directed to pay the same.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Martin, McAllister, Mitchell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—27.

NOES—None.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 15—Proposing to amend article six of the Constitution, relative to the judicial department—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Constitutional Amendment No. 13—Proposing to amend article eleven of the Constitution, relating to cities, counties, and towns—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Constitutional Amendment No. 6—Proposing to amend section seven of article one of the Constitution, relative to trial by jury—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Constitutional Amendment No. 14—Proposing to amend section six of article eleven of the Constitution, relative to the incorporation of cities and towns—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

HART, Chairman.

Senate Constitutional Amendments Nos. 15, 13, 6, and 14 ordered on file.

Senator Orr in the chair.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

During the second reading of the bill, the following committee amendments were submitted:

In line three of the printed bill, between the words "street" and "Act," insert the word "work."

Adopted.

Also: In line seventy-six of the printed bill, strike out the words "to the amount of fifty dollars or over."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 352—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read second time, ordered engrossed, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 149—An Act for the protection of mines, and repealing all Acts in conflict therewith—have had the same under consideration, and respectfully report the same back without recommendation.

FORD, Chairman.

Senate Bill No. 149 ordered on file.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Read second time, ordered engrossed, and on file for third reading.

President pro tem. Hon. Thomas Flint, Jr., in the chair.

Senate Bill No. 447—An Act to provide for the appointment of attorneys for foreign corporations on whom service can be made.

Passed on file, in absence of author, but to retain its place.

Senate Bill No. 421—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During the second reading of the bill, the following committee amendments were submitted :

In line nine of section one of the printed bill strike out the word "Marshal."

Adopted.

Also: At the end of line eleven of section one, printed bill, insert the words "the Marshal shall be appointed by the Board of Trustees, and shall hold office during the pleasure of said Board."

Adopted.

Also: In line twelve of section one, printed bill, strike out the word "Marshal."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTION.

Senator Dunn moved that Senate Bills No. 525 and 526 be recalled from Committee on Judiciary and be referred to Committee on Corporations.

So ordered.

ADJOURNMENT.

At three o'clock and forty minutes p. m., on motion of Senator McAllister, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 8, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Dunn.

SPECIAL ORDER—IMMEDIATELY AFTER READING OF THE JOURNAL.

Resolution appointing special committee on election frauds.

Senator Orr was granted unanimous consent to withdraw above resolution.

Resolution withdrawn.

WITHDRAWAL OF BILL.

On motion of Senator Seymour, Senate Bill No. 540 was, with the unanimous consent of the Senate, withdrawn.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Also: Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Also: Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration,

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Also: Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five, of the Civil Code of the State of California, relating to the authentication of marriages.

Also: Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Also: Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger.

Also: Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Also: Senate Bill No. 294—An Act entitled "An Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors."

Also: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Also: Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Also: Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Also: Senate Bill No. 320—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section sixty of said Civil Code.

Also: Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Also: Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Also: Senate Bill No. 265—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Also: Senate Bill No. 264—An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor," approved March 10, 1891.

Also: Senate Bill No. 181—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Also: Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Also: Senate Bill No. 354—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section sixty-six thereof, relating to the residence of county officers.

Also: Senate Bill No. 97—An Act to regulate the trial of actions for a divorce.

Also: Senate Bill No. 191—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 164—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice, and certified copies of records as evidence.

Also: Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Also: Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Also: Senate Bill No. 123—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four, of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 216—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one also, relating to the sale of real property for delinquent taxes.

Also: Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Also: Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Also: Senate Bill No. 461—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 370—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Also: Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Senate Bill No. 405—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

SMITH, Chairman.

On motion of Senator Seymour, Senate Bill No. 508 was recalled from the Committee on Finance, and placed on first-reading file.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 47—An Act to amend an Act approved March 1, 1893, entitled "An Act to amend section six and section eight of an Act approved March 19, 1889, entitled 'An Act authorizing the incurring of an indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever,' and to repeal the Act approved March 9, 1889, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks'; also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness

by cities, towns, and municipal corporations incorporated under the laws of this State," relating to the issuance of bonds by municipalities for public improvements—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in town and cities.

Also: Senate Bill No. 542—An Act to amend section three thousand six hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the furnishing of the County Assessor with maps.

Also: Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

On motion of Senator Mathews, Senate Bill No. 302—now in Committee on County Government and Township Organization—was taken from said committee and referred to Committee on Judiciary.

RECONSIDERATION OF VOTE.

Senator McAllister, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law—was passed, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—32.

NOES—Senator Withington—1.

On motion of Senator McAllister, Senate Bill No. 81 was ordered placed on third-reading file.

PETITIONS.

Senator McGowan presented the following petition, and same was ordered printed in the Journal:

To the Honorable Legislature of the State of California:

The undersigned, having learned with deep solicitude that it is proposed to ask your honorable body to enact a uniform liquor license law, whereby our present local option right, as lodged with counties and municipalities, would be repealed, do most earnestly request that no such change be made; but instead, that all be done to strengthen and simplify our present right of local government of the liquor traffic, and your petitioners shall ever so pray.

(Signed:) Edward Boscow, A. N. Hunt, A. H. Putman, C. F. Girs, J. W. Thurston, J. H. Gripp, W. J. Campbell, B. Bartlett, J. R. Brown, U. W. Putman, J. M. Lyons, Chas. A. Wood, E. F. Biddings, H. A. Biddings, B. Chaffey, J. H. Raab, Wm. C. Preston, Frank Fulton, D. J. Turner, Jacob Nepper, George Glasson, T. Whitehead, M. McGillery, Mrs. H. M. Campbell, Lillie Mitchell, Mrs. V. Foster, Georgia Campbell, L. E. Tripp, Mrs. J. M. Lyons, Mrs. H. S. Woods, Mrs. Bell Boscow, Mary Chaffey, Maria Fulton, S. Jones, Mary Turner, Lizzie Glasson, Nellie B. Bartlett, Otto A. Matzen, Ves. Littlehails, T. J. Janes, F. M. Janes, John Chaffey, Wm. Brown, Carl O. Peterson, F. J. DeBernardi, Cyrus Jones, David Wood, Chas. Henderson, R. Anderson, S. Foster, D. Barron, John Mitchell, D. McKellar, Thomas McGowan, W. J. Boyd, A. Halem, Lemm Cates, A. Copeland, Fred. Taylor, D. H. McCahan, Geo. Chaffey, Mrs. M. Hunt, Mrs. M. McKellar, Mrs. E. Gaston, Clara Howland, Mrs. Putnam, Mrs. C. Jones, Mrs. Lucy Thurston, Mrs. F. L. Taylor.

Senator Voorheis presented the following petition relating to enacting a Sabbath law, and same was ordered printed in the Journal:

To the California House of Representatives, 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws: it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) D. W. Chilson, Mrs. J. H. Condit, Mrs. M. Gordon, Mrs. R. S. Woolsey, Mrs. G. H. Dunlap, R. H. Ford, Julia Perkins, T. B. Stewart, H. Stewart, J. C. Stewart, Mrs. J. F. Scott, Mrs. George F. Mack, Mrs. L. B. Gregory, Mrs. A. J. Cassels, J. S. Amick, James F. Scott, J. Buck, Benjamin Hopper, J. Marchant, G. J. Conley, A. B. McDonald, Y. Neman, J. D. Perkins, E. W. Perkins, Rebecca Woolery, Mrs. M. E. Woolery, Josiah Winter, A. D. Winter, C. K. Winter, M. E. Winter, Elizabeth Winter, A. D. Bonham, Mrs. A. D. Bonham, Mrs. Thomas, J. D. McCombs, Mrs. C. O. McCombs, W. M. Ives, Sampson Ives, Miss J. Genthner, J. M. Genthner, Mrs. M. McCombs, Mrs. A. Covall, Mrs. W. J. McCombs, C. H. Henderson, Mrs. T. Mace, Ivy A. Mace, Fayette Mace, E. McCale, A. Prouty, H. Schmidt, Polk Ohaver, R. J. Martin, B. Miller, Mrs. R. Scott, H. Heffren, Geo. E. Waddell, J. A. Brasker, J. Onebal, J. W. Sibole, Mrs. M. E. Sibole, Mrs. L. J. Fassett, F. M. Sibole, Mrs. Rosa Sibole, Joseph W. Sibole, Mrs. Freida Sibole, Mrs. J. H. Sheffren, Mrs. S. L. Cain, Miss Harriet Bailey, Mrs. E. C. Chilsom, R. A. Johnson, W. H. Mack, D. R. Swift, James H. Condit, L. H. Brasher, C. R. Brasher, R. W. Brasher, Frank Brasher, J. A. Brasher, J. W. Surface, J. Surface, Edwin Lawes, J. W. McMurry, R. Rogers, Geo. Withington, Alex. Gillis, Mrs. Candace Cain, S. L. Cain, L. Heurbmann, Mrs. E. G. Amick, Mrs. A. G. Amick, Mrs. Sarah Gregory, Mrs. Eva Bennett, Mrs. S. J. Withington, U. S. G. G. Pascal, K. H. Wilber, Mrs. John Surface, Mrs. Marshall Harris, Lucy H. Surface, Mrs. Wm. Woolsey, Mrs. J. P. Surface, Mrs. P. A. McMurray, W. A. Bennetts, W. A. Gregory, Mrs. Rendell.

Senator Orr presented the following petitions, and same were ordered printed in the Journal:

To the Hon. ORESTES ORR, State Senator, and Hon. PETER BENNETT, Assemblyman:

SIRS: The undersigned, merchants and business men of Ventura County, California, hereby respectfully beg leave to call your attention to the action of the San Francisco Board of Trade, in meeting assembled December 21, 1894, relative to amendments of the State Insolvency Law, which matter will be presented at the next session of the Legislature.

We ask for your earnest interest and attention to the subject, with the view of amending the present insolvency laws, upon the lines indicated by the discussions referred to.

(Signed:) Thomas R. Bard, Hueneme, Cal.; Wolf & Lehmann, Hueneme, Cal.; A. Levy, Hueneme, Cal.; Gilgers Waterman, Hueneme, Cal.; A. Bernheim & Co., Hueneme, Cal.; D. T. Perkins, Hueneme, Cal.; Thomas Gregg, Hueneme, Cal.; B. T. Korts, Hueneme, Cal.; Connor & Blackstock, Hueneme, Cal.; L. Cerf, Hueneme, Cal.; E. Hirschfelder & Son, Ventura, Cal.; L. Harzfeld, Ventura, Cal.; Chaffee Mercantile Co., Ventura, Cal.

Also:

SANTA BARBARA, January 30, 1895.

Hon. ORESTES ORR, Senate Chamber, Sacramento, California:

DEAR SIR: It having come to our notice that there is a bill before the Legislature prohibiting the sale of liquor within one mile of the State University at Berkeley, we ask that you give your support and influence in favor of the passage of the bill.

(Signed:) R. B. Canfield, President First National Bank; A. L. Lincoln, Cashier First National Bank; Henry Dawe, Clerk First National Bank; Geo. S. Edwards, President Commercial Bank; Hugh F. Phail, Clerk Commercial Bank; A. A. Oglesby, District Attorney Santa Barbara County; W. B. Metcalf, County Treasurer; A. Edwards, Assistant Cashier Commercial Bank; Henry P. Lincoln, Assistant Cashier First National Bank; John J. Van Den Bergh, Bookkeeper First National Bank; E. S. Sheffner, Cashier Santa Barbara County National Bank; M. E. Brownsill, Bookkeeper Santa Barbara County National Bank; E. M. Pyle, with W. C. Shaw, grocer; W. H. Knight, merchant; E. C. Roeder, merchant; N. W. Williams, clerk; C. H. Frink, merchant; F. N. Emerson, merchant; J. S. Frink; C. W. Rasey, County Recorder.

Senator Franck presented the following petition, and same was ordered printed in the Journal:

A petition for laws to protect the singing birds of California—the lark, oriole, wild canary, robin, goldfinch, vireo, ring dove, and mocking-bird.

(Signed:) Mrs. C. E. Chace, M. H. Myrick, W. C. Merrill, Robert Mackenzie, Cyrus S. Wright, Warren M. Poorman, H. S. Blackwell, George Mearson, J. G. Chown, W. H. Cook, W. F. Roy, Jos. Elvey, H. K. Goddard, G. B. Waterman, O. F. Eastman, C. E. Lackman, C. G. Reay, Wm. C. Mackintosh, Geo. L. Underhill, F. W. Marvin, Samuel Irving, R. R. Patterson, F. T. Larsen, Mrs. Lewis Dome, Mrs. Goddard, Belle M. Stanford, M. R. Wright, Helen G. Ames, S. A. Marvin, Georgia F. McLemman, F. J. Worth, Lucy Grove, Maggie M. Morrison, Anna B. Frisbie, Lulah Zalinskie, Grace Perrault, E. N. Frisbie, Mrs. G. M. Merrill, Mary S. Ames, Donald MacKenzie, E. C. Klippel, Nannette E. Ames, J. W. Ames, Sadie Trogler, Mrs. H. L. Ames, R. G. Campbell, Philo Hersey, A. E. Pearson, William Hammond, L. J. Jackson, J. A. Peckham, R. W. Ball, E. F. Leland, A. G. Chapin, F. L. Orkney, R. W. Orkney, Arabella Husey, M. Husey.

RESOLUTION—(OUT OF ORDER).

By Senator Biggy:

Resolved, That Senate Bill No. 17 be withdrawn from the Finance Committee, and re-referred to the Committee on Public Buildings other than Prison Buildings for its further consideration.

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

VOORHEIS, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 289—An Act providing for the improvement of streets and roads and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts where the population is at least five hundred, and the manner of ascertaining said population—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHINE, Chairman.

Senate Bill No. 289 ordered on file.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 538—An Act to pay the claim of George Miller for damage done by the storm water and sewerage of the Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Also: Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 517—An Act to appropriate seven thousand five hundred dollars

as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FRANCK, Chairman.

Senate Bills Nos. 538, 558, 550, and 517 re-referred to Committee on Finance.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 14—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ANDROUS, Chairman.

Senate Bill No. 14 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 274—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail—respectfully report the same back, and recommend that it be stricken from the file, the author, Senator Mahoney, having withdrawn it on yesterday.

Also: Senate Bill No. 576—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State.

Also: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 577—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Also: Senate Bill No. 578—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Also: Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Your Committee on Judiciary, to whom was re-referred Senate Bill No. 33, for consideration as to its constitutionality, have had the same under consideration, and respectfully report the same back, as follows:

We find that the bill proposes to confer appellate jurisdiction upon the Supreme Court of this State in cases of contempt. The Courts having held that cases of contempt are criminal in their nature, and that contempts are not prosecuted by indictment or information, brings this bill within the prohibition of the Constitution, which limits the jurisdiction of the Supreme Court to criminal cases prosecuted by information or indictment.

We therefore hold that the proposed law, if passed, would be unconstitutional.

McGOWAN, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: Your Committee on Retrenchment and Public Expenditures beg leave to submit the report of its sub-committee, appointed to investigate and report upon the condition and management of the public institutions and commissions of this State, which said report is hereto annexed.

SEYMOUR, Chairman.

REPORT.

MR. CHAIRMAN: Your Sub-Committee on Retrenchment and Public Expenditures, appointed to investigate and report upon the condition and management of certain of the public institutions of the State, beg leave to report as follows:

Your sub-committee visited the State Normal School at Los Angeles, the Whittier State School, the Insane Asylum at Highlands, and personally inspected and investigated the same, and the management thereof, in connection with the Committees on Public Buildings and Prison Buildings.

The result of our investigation and the recommendations and views of this committee, will be found embodied in the several reports on these institutions, made by the above-named committees (to which reference is hereby made), with which this committee cooperated in their examination and investigation thereof. In addition to the matter stated in such reports, your committee would suggest, and recommend, that the salaries and compensation paid many of the officers and employés of said institutions be scaled down in conformity with the provisions of Senate Bill No. 605, introduced by Senator Seymour, and recommended by your committee. This measure of retrenchment we deem desirable and just, in view of the general shrinkage of values and widespread financial distress prevailing in this State.

Your sub-committee also visited and inspected the various sites and properties so generously offered the State by the citizens of San Diego and Escondido, for the location and establishment of a State Normal School. While we recognize and appreciate the munificent offer to the State, of these valuable and beautiful properties, we do not feel that it is prudent, nor wise, at this time, for the State to accept any of them, for the reasons above given in relation to the reduction of salaries, etc. However, should it be deemed best to establish another State Normal School in California, we earnestly recommend that the same be established at San Diego, and that the property at Ocean Beach be accepted as the most desirable for that purpose.

Respectfully submitted.

SHIPPEE,
BURKE,
Sub-Committee.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: The Sub-Committee on Retrenchment and Public Expenditures appointed to investigate and report upon the condition and management of the State Normal School at Los Angeles, the State School at Whittier, the Insane Asylum at Highlands, and the proposed Normal School sites and properties at San Diego, having visited said institutions, and reported back the result of their investigations to the Senate, now present their account for mileage, as follows:

Senator Shippee, 1,190 miles.....	\$119 00
Senator Burke, 1,190 miles.....	119 00
Total.....	\$238 00

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Senator Shippee, Chairman of said sub-committee, for the sum of two hundred and thirty-eight dollars, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

SHIPPEE,
Chairman Sub-Committee.

The latter report was referred to Committee on Attachés, Contingent Expenses, and Mileage.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 371—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass.

Also: Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 87—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof—have had the same under consideration, and respectfully report the same back without recommendation.

ORR, Chairman.

Senate Bill No. 371, Assembly Bill No. 132, and Senate Bills Nos. 87 and 89 ordered on file.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 6—Concurrent resolution approving the charter of the City of Eureka, in the county of Humboldt, State of California, which was voted for and ratified by the qualified electors of said city, at a special election held therein for that purpose in the City of Eureka, on the twenty-sixth day of January, 1895.

S. J. DUCKWORTH, Chief Clerk.

Senate Concurrent Resolution No. 6 ordered to enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Henderson: Senate Bill No. 655—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Referred to Committee on Judiciary.

Also: Senate Bill No. 656—An Act to amend section four hundred and seven of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Referred to the Committee on Judiciary.

Also: Senate Bill No. 657—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure, relating to the manner of commencing actions in Justices' Courts.

Referred to Committee on Judiciary.

By Senator Whitehurst: Senate Bill No. 658—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments and to include propositions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 659—An Act relating to the qualifications of persons to hold office, and of deputies under them, and of attachés of the Legislature other than Senators or Assemblymen.

Referred to Committee on Judiciary.

By Senator Voorheis: Senate Bill No. 660—An Act to provide for payment of a deficiency in the appropriation for aid to State Agricultural Society for the forty-sixth fiscal year.

Referred to Committee on Finance.

By Senator Bert: Senate Bill No. 661—An Act to amend section one

thousand nine hundred and sixty-two of the Political Code, relating to the National Guard.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Referred to Committee on Elections.

By Senator Burke (by request): Senate Bill No. 663—An Act to amend sections one thousand eight hundred and ninety-eight, one thousand nine hundred, one thousand nine hundred and twelve, one thousand nine hundred and fifteen, one thousand nine hundred and sixteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-eight, one thousand nine hundred and thirty-seven, one thousand nine hundred and forty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, one thousand nine hundred and sixty-eight, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-one, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty, two thousand and twenty-two, two thousand and twenty-three, two thousand and twenty-nine, two thousand and thirty, two thousand and thirty-one, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, two thousand and eighty-two, two thousand and ninety-four, and two thousand one hundred and five of the Political Code of the State of California, and in relation to the National Guard of California; to amend sections seven hundred and twenty-eight and seven hundred and twenty-nine of the Penal Code of the State of California, all in relation to the National Guard of California; to repeal sections one thousand nine hundred and two, one thousand nine hundred and thirteen, one thousand nine hundred and thirty-eight, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, two thousand and six, two thousand and forty-eight, two thousand one hundred and one, two thousand one hundred and nine, and two thousand one hundred and ten of the Political Code of the State of California, and in relation to the National Guard of California; to add one new section, to be known as section two thousand one hundred and two of the Political Code of the State of California, and relating to the National Guard of California.

Referred to Committee on Military Affairs.

By Senator Pedlar: Senate Bill No. 664—An Act to amend section three thousand and fifty-one of the Civil Code, relative to sale of stock left in pasture or stables.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 665—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 666—An Act to amend section fifty-five of the Civil Code of the State of California, to repeal sections

seventy-five, seventy-six, and seventy-seven thereof, and to add a new section thereto, to be known as section eighty-one of the Civil Code, relating to marriage, marriage contracts, and the solemnization of marriages.

Referred to Committee on Judiciary.

By Senator Holloway (by request): Senate Bill No. 667—An Act to prevent Sabbath desecration, and to secure a weekly rest day.

Referred to Committee on Education and Public Morals.

By Senator Bert: Senate Bill No. 668—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Referred to Committee on Education and Public Morals.

By Senator Mathews: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and tools for the use of the State Normal School at Los Angeles, California.

Referred to Committee on Public Buildings other than Prison Buildings.

At ten o'clock and forty-five minutes A. M. the President pro tem. called Senator Orr to the chair.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 129—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

During the second reading of the bill, the following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section one, line twenty, printed bill, the words "fifteen hundred dollars," and inserting the following: "one thousand dollars."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, lines nineteen and twenty, printed bill, the words "thirty-five hundred," and inserting the following: "two thousand."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section one, lines seventeen and eighteen, printed bill, the words "ten thousand dollars is appropriated for the improvement of the grounds of said asylum."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section six the words "from and after its passage," and inserting the following: "from and after January 1, 1896."

Adopted.

AMENDMENT No. 5.

Amend the title to read as follows: "An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same."

Adopted.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 567—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EARL, Chairman.

Senate Bill No. 567 ordered on file.

RESOLUTION—(OUT OF ORDER).

By Senator Gesford:

Resolved, That Senate Bill No. 57 be immediately recalled from the Finance Committee and placed upon the third-reading file.

Adopted.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

During the second reading of the bill, the following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section one, line one, printed bill, the words "eighty thousand dollars," and inserting the following: "fifty-five thousand dollars."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section four the words "the date of its adoption," and inserting the following: "January 1, 1896."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

At eleven o'clock and ten minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

During the second reading of the bill, the following committee amendment was submitted:

Amend by striking out of section three the word "immediately" and inserting the following: "from and after January 1, 1896."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on third-reading file.

Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Read second time, ordered engrossed, and on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Bert: Senate Bill No. 670—An Act to amend section six hundred and thirty-four of the Penal Code, relating to the taking of salmon, and providing for punishment for the unlawful taking or catching of salmon, and regulating the distribution of fines collected for violations of the provisions of the said section.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 671—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Seymour: Senate Bill No. 672—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Referred to Committee on Finance.

Also: Senate Bill No. 673—An Act entitled an Act to amend the Political Code by adding a new section thereto, to be known as section three thousand nine hundred and fifty-nine, relating to the fixing of the boundaries of Orange County.

Referred to Committee on Judiciary.

Also: Senate Bill No. 674—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Finance.

Also: Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 676—An Act to amend section sixteen of an Act entitled "An Act to provide for the erection and management of a State hospital for the insane, to be located in Southern California," approved March 11, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Hospitals.

By Senator Gleaves: Senate Bill No. 677—An Act to establish a Desert Land Enabling Act, to enable the State of California to receive from the United States desert lands under the provisions of an Act of Congress entitled "An Act making appropriations for sundry civil expenses of the Government, for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894.

Referred to Committee on Public and Swamp and Overflowed Lands.

CONSTITUTIONAL AMENDMENTS.

By Senator Aram (by request): Senate Constitutional Amendment No. 19—A resolution to propose an amendment to article six of the Constitution of the State of California, relating to the Judicial Department.

Referred to Committee on Constitutional Amendments.

By Senator Earl: Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to article nine of the Constitution, section six, relative to the public school system.

Referred to Committee on Constitutional Amendments.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

- Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed on file.

GENERAL FILE—THIRD READING.

Senate Bill No. 169—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Simpson, Senate Bill No. 169 was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 26 was substituted therefor on the file, both bills containing the same subject-matter.

Senator Simpson moved that Assembly Bill No. 26 be read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations; and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read second time, and placed on file for third reading.

GENERAL FILE—THIRD READING—(RESUMED).

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file.

Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed on file.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Passed on file.

THIRD READING OF BILLS.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Read third time.

MOTION.

On motion, Senate Bill No. 183 was referred to Senator Simpson, as a special committee of one, with instructions to amend as follows:

Amend by striking out of section one, line five, printed bill, the words "several returns," and inserting the following: "a return."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 183, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed and reëngrossed as amended, and to retain its place on file.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Read third time.

MOTION.

On motion of Senator Langford, the further consideration of Assembly Bill No. 449 was postponed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 268—An Act to repeal sections one, two, three, four, five, six, seven, and ten of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also to repeal an Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February 26, 1885; and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners; to continue in force sections eight and nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, and enlarging the privileges of the Department of Agriculture of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that the substitute do pass.

SHIPPEE, Chairman.

Senate Bill No. 268 ordered on file.

RESOLUTION—(OUT OF ORDER).

By Senator Shippee:

Resolved, That the substitute for Senate Bill No. 268, reported back by the Committee on Agriculture, be read first time, and forthwith transmitted to the printer.

Adopted.

FIRST READING OF BILL.

Committee Substitute for Senate Bill No. 268—An Act to amend sections three, four, six, and seven of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also, to repeal an Act entitled "An Act to enlarge the duties of State Viticultural Commissioners," approved February 26, 1885.

Substitute for Senate Bill No. 268 read first time, and ordered on file for second reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gleaves: Senate Bill No. 678—An Act fixing salary of official shorthand reporter of counties of the twenty-eighth class.

Referred to Committee on Judiciary.

By Senator Denison (by request): Senate Bill No. 679—An Act to amend the law regarding the office of Mayor of each city of more than forty thousand of population, in counties of the second and third classes.

Referred to Committee on City, City and County, and Town Governments.

Also (by request): Senate Bill No. 680—An Act to amend the law

regarding the Board of Education of each city of more than forty thousand of population, in counties of the second and third classes.

Referred to Committee on City, City and County, and Town Governments.

Also (by request): Senate Bill No. 681—An Act to amend the law regarding the office of Mayor's Clerk in each city of more than forty thousand of population, in counties of the second and third classes.

Referred to Committee on City, City and County, and Town Governments.

Also (by request): Senate Bill No. 682—An Act to amend the law regarding the City Council of each city of more than forty thousand of population, in counties of the second and third classes.

Referred to Committee on City, City and County, and Town Governments.

LEAVE OF ABSENCE.

Senator Holloway was granted a leave of absence until Wednesday next.

Senator Ford was granted a leave of absence for to-morrow morning.

Senator Denison was granted a leave of absence for the day, on motion of Senator Fay.

MOTION TO ADJOURN.

At eleven o'clock and fifty minutes A. M. Senator Orr moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Senators Burke, Denison, Flint, Hart, Henderson, Langford, Linder, McAllister, Mitchell, Orr, Seawell, Shine, Simpson, Toner, and Withington—15
NOES—Senators Arms, Androus, Beard, Bert, Biggy, Dunn, Fay, Gesford, Gleaves, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Pedlar, Seymour, Shippee, Smith, and Whitehurst—20.

LEAVE OF ABSENCE.

Senators Withington, Pedlar, and Smith were granted a leave of absence for the day, to attend a meeting of Committee on County Government and Township Organization, on motion of Senator Withington.

On motion of Senator Ford, Senate Bill No. 284 was re-referred to Committee on Judiciary, but to retain its place on file.

FINAL PASSAGE OF BILL.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

The bill having been read the third time on a previous day, the question was on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shippee, Smith, Whitehurst, and Withington—28.
NOES—Senators Earl, Holloway, Orr, and Simpson—4.

Title read and approved.

At eleven o'clock and fifty-five minutes A. M. Senator Orr was called to the chair.

LEAVE OF ABSENCE.

Senator Hart was granted a leave of absence for the remainder of the week.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes A. M., on motion of Senator Flint, the Senate adjourned until to-morrow at ten o'clock and fifteen minutes A. M.

IN SENATE.

SENATE CHAMBER,
Saturday, February 9, 1895. }

The Senate met pursuant to adjournment, at ten o'clock and fifteen minutes A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Androus, Biggy, Burke, Flint, Franck, Gesford, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Simpson, Smith, Toner, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senators Aram, Arms, Beard, Bert, Denison, Dunn, Earl, Fay, Henderson, Langford, Martin, McAllister, Seawell, Shippee, Shine, and Voorheis were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 457—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also: Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Also: Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Also: Senate Bill No. 78—An Act entitled an Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and sixty-six, relative to certain actions when taxes have not been paid.

Also: Senate Bill No. 63—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled.

Also: Senate Bill No. 64—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 65—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 345—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Record-ers, Treasurers, Tax Collectors, Superintendents of Schools, Constables, and their deputies, from practicing law or acting as attorneys, and making said officials ineligible to the office of Notary Public.

Also: Senate Bill No. 217—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any savings bank any deposit in such bank when the same does not exceed the sum of five hundred dollars," approved February 18, 1874.

Also: Senate Bill No. 224—An Act to amend section one thousand two hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand two hundred and seventy-one, relative to devises of real property by last will.

Also: Senate Bill No. 111—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

Also: Senate Bill No. 307—An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco," approved March 31, 1891.

Also: Senate Bill No. 177—An Act to amend chapter two, part four, title fourteen of the Civil Code, by adding thereto a new section, to be numbered as section two thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Also: Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

SMITH, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Also: Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 476—An Act to pay the claim of Fred. Hansted, for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Also: Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893.

Also: Senate Bill No. 501—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 607—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor.

Also: Senate Bill No. 353—An Act to appropriate three hundred dollars to pay the claim of A. L. Wood for the capture of Francisco Torres.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 44—An Act to appropriate money to pay indebtedness incurred by the National Guard of California—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

VOORHEIS, Chairman.

Senate Bill No. 17 re-referred to Committee on Public Buildings other than Prison Buildings.

REPORT OF SUB-COMMITTEE.

Senator Mathews, from the Sub-Committee on Military Affairs, presented the following report, and same was ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Military Affairs beg leave to submit the report of its sub-committee, appointed to investigate and report upon the condition of the National Guard of California stationed and located at Los Angeles and San Diego, which said report is hereto annexed:

REPORT.

The sub-committee of your Committee on Military Affairs, to whom was referred and assigned the duty of visiting the troops of the National Guard of California stationed and located at Los Angeles and San Diego, beg leave to report as follows:

That on Wednesday, the 30th ult., they left Sacramento for Los Angeles, and reached the last named city on the afternoon of Thursday, January 31st, and proceeded almost immediately to the armories there.

On Saturday, February 2d, we proceeded to San Diego, where, in the evening, we inspected the troops located there, in the square, in front of the Horton House.

At both cities visited a careful and thorough examination and inspection were had, and in the evening all the troops were required to pass in review, after which each company was required to drill separately, in order that your committee could ascertain the efficiency of each of the several companies and commanding officers.

We find the character of men composing the troops to be of a high grade, physically and morally; they are proficient in the manual of arms, well officered and disciplined. The uniforms are in good condition, lacking, however, overcoats, knapsacks, canteens, and blankets, but on account of the climatic conditions existing there, the latter articles are not essential or necessary, and can be dispensed with for the present. The armories and equipments generally are in excellent condition. They have sufficient arms, but such as they have are of very poor quality, old and obsolete. Your committee respectfully recommend that they be supplied with new arms of modern date, at once.

We also desire to call attention to, and specially commend the Signal Corps located at Los Angeles, which is an important branch of the service, and, in the opinion of the committee, should be retained and encouraged; and particularly do we desire to call attention to the Naval Reserve located at San Diego, which we found to be composed of enthusiastic, patriotic, and intelligent Americans. We recommend and urge that it be fostered and maintained, as being a branch of the service well calculated to encourage the growth of American seamen to man our American vessels.

Respectfully submitted.

BERT, Chairman.
MATHEWS.
PEDLAR.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: The special sub-committee of the Committee on Military Affairs, which was appointed to investigate and report upon the condition of the National Guard of California stationed and located at Los Angeles and San Diego, having per-

formed that duty and reported back the result of their investigations to the Senate, now present this their account for mileage, as follows:

Senator Bert, 1,208 miles.....	\$120 80
Senator Mathews, 1,208 miles.....	120 80
Senator Pedlar, 1,208 miles.....	120 80
Total.....	\$362 40

Therefore,
Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Eugene F. Bert, Chairman of said sub-committee, for the sum of three hundred and sixty-two dollars and forty cents as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

EUGENE F. BERT,
 Chairman Sub-Committee.

The latter report was referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Retrenchment and Public Expenditures.

Also: Senate Bill No. 200—An Act to establish a State Normal School at San Diego, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 23—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Also: Senate Bill No. 27—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ANDROUS, Chairman.

Senate Bill No. 17 re-referred to Committee on Retrenchment and Public Expenditures.

Senate Bills Nos. 200, 23, and 27 re-referred to Committee on Finance.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 107—An Act to regulate the manufacture and sale of commercial fertilizers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Finance.

Also: Senate Bill No. 305—An Act to prevent fraudulent or wash sales of goods sold on commission, and to prevent dishonest returns of sales, and to provide a punishment therefor.

Also: Senate Bill No. 295—An Act to provide for holding an annual exhibition in Southern California, to be known as the "Southern California State Fair."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 237—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 161—An Act relating to estrays—have had the same under consideration, and respectfully report the same back, and recommend that Assembly Bill No. 566 be substituted, and that the substitute do pass.

Also: Senate Bill No. 487—An Act providing for the giving of bonds by all persons who shall sell or give away malt, spirituous, or vinous liquors within the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Education and Public Morals.

-SHIPPEE, Chairman.

Senate Bills Nos. 107 and 237 re-referred to Committee on Finance.

Senate Bill No. 487 re-referred to Committee on Education and Public Morals.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 271—An Act to amend section one of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Police Court—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883 (St. 1883, p. 24)—have had the same under consideration, and respectfully report the same back without recommendation.

SIMPSON, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 18—Proposing to amend article twenty of the Constitution by adding a new section, to be numbered twenty-one, relative to acquiring land by adverse possession.

Also: Senate Constitutional Amendment No. 1—Proposing to amend section seven, article nine of the Constitution, relative to the free distribution of State text-books.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

Also: Senate Constitutional Amendment No. 4—Proposing an amendment to article thirteen of the Constitution, relative to the election of a State Board of Equalization—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted, for the reason that a similar amendment was submitted to a vote of the people at the late election, and was defeated.

HART, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 619—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and

designated, and establishing the compensation and prescribing the duties of such assistants," approved March 23, 1893, and to add new sections thereto, being known and designated as sections four, five, six, seven, and eight.

Also: Senate Bill No. 5—An Act to amend section six hundred and two of the Penal Code.

Also: Senate Bill No. 282—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half; also relating to the guardianship of the persons and estates of minors and incompetents.

Also: Senate Bill No. 390—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Also: Senate Bill No. 283—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen; and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six; and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also: Senate Bill No. 415—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicide.

Also: Senate Bill No. 423—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Also: Senate Bill No. 318—An Act to amend section three thousand seven hundred and ninety-four and section three thousand six hundred and eight of the Political Code of this State, relating to assessment and taxation.

Also: Senate Bill No. 311—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section one thousand two hundred and sixty-nine, relating to elections.

Also: Senate Bill No. 364—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties, of this State to use patented automatic voting or ballot machines at all elections therein.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass. It is the opinion of your committee that Senate Bills Nos. 311 and 364 are unconstitutional.

Also: Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor—have had the same under consideration, and respectfully report the same back,

and recommend that it do pass, and that the author of Senate Bill No. 179 be allowed to withdraw it, the same being identical.

Also: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the author of Senate Bill No. 187 be allowed to withdraw it, the same being identical.

Also: Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from date of entry—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the author of Senate Bill No. 174 be allowed to withdraw it, the same being identical.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the author of Senate Bill No. 382 be allowed to withdraw it, the same being identical.

Also: Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 37—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Corporations.

Also: Senate Bill No. 439—An Act providing for the judicial establishment of wills and of the status of testators as related to wills so established, and for the custody and revocation of such wills—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 416—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions.

Also: Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

Have had the same under consideration, and respectfully report the same back, and recommend the passage of a substitute for each bill.

Also: Senate Bill No. 383—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Also: Senate Bill No. 494—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Also: Senate Bill No. 432—An Act to amend section two thousand nine hundred and twenty-six of the Civil Code, relating to mortgage of real property; on what a lien.

Also: Senate Bill No. 433—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Also: Senate Bill No. 496—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Also: Senate Bill No. 495—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Senate Bill No. 37 re-referred to Committee on Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 249, respectfully report that it has had the same under consideration and respectfully report as follows:

We find that the provisions of said bill as far as line eight are covered by a present statute, and that all of line eight, after and including the word "and" to and including the word "do," on line eleven, is an attempt to confer the power to abate a nuisance

upon a Justice of the Peace, and is therefore unconstitutional, as conferring equity powers upon a Court not permitted to exercise those powers under the Constitution.

The other parts of the bill attempt to confer the power upon a Justice of the Peace to enforce a lien. This power, by all the decisions, is a matter of equity jurisdiction, and under the statute is not allowed to Justices of the Peace. We therefore hold that the provisions last referred to are unconstitutional, and that the part of the law which we consider constitutional is already covered by the present statute.

We recommend that the bill do not pass.

McGOWAN, Chairman.

MOTION.

On motion of Senator Hart, Senate Constitutional Amendment No. 14 was re-referred to Committee on Constitutional Amendments.

On motion of Senator Biggy, Committee Substitute for Senate Bill No. 44 was ordered printed immediately.

On motion of Senator Seymour, Senate Bill No. 276 was re-referred to Committee on Judiciary, but to retain its place on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Burke (by request): Senate Bill No. 683—An Act to add a new section to the Political Code of the State of California, to be numbered section two thousand seven hundred and forty-five, relating to keeping the public highways of the State clear from brush, thistles, cockleburrs, vines, and weeds.

Referred to Committee on Roads and Highways.

Also (by request): Senate Bill No. 684—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Road Commissioners.

Referred to Committee on Roads and Highways.

By Senator Hoyt: Senate Bill No. 685—An Act to provide for the appointment and salary of an electrician and fireman.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Toner: Senate Bill No. 686—An Act for the protection of fish.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Holloway: Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 688—An Act to amend section two hundred and three of the Civil Code of California, relating to parent and child.

Referred to Committee on Judiciary.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Withington, Senate Bill No. 253 was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 201 was substituted therefor on file.

MOTIONS.

On motion of Senator Hart, Senate Bill No. 201 was re-referred to Committee on Hospitals, but to retain its place on file.

On motion of Senator Orr, the regular order was passed, and the Senate proceeded to the consideration of bills on the first-reading file:

FIRST READING OF BILLS.

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Passed on file.

At eleven o'clock and fifteen minutes A. M. Senator Orr was called to the chair by the President pro tem.

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Senate Bill No. 379—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Senate Bill No. 420—An Act to amend an Act entitled an Act to establish a Penal Code, relating to the crime of rape.

Senate Bill No. 459—An Act to amend section three hundred and eight of the Penal Code of California, relating to the sale or furnishing of tobacco, or preparations of tobacco, to persons under sixteen years of age.

Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Senate Bill No. 279—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to making deeds to property sold for taxes, giving notice thereof, and directing the State Controller to act for the State.

Senate Bill No. 382—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Senate Bill No. 466—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Senate Bill No. 176—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title.

Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Senate Bill No. 384—An Act to amend section sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the solemnizing of marriage.

Senate Bill No. 385—An Act to amend section one thousand and thirty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit is brought.

* At eleven o'clock and twenty-five minutes A. M. President pro tem. Thomas Flint, Jr., resumed the chair.

Senate Bill No. 386—An Act to amend sections three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property.

Senate Bill No. 387—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Senate Bill No. 401—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure.

Senate Bill No. 408—An Act to amend section three thousand and two of the Civil Code of the State of California, relating to pledge.

Senate Bill No. 414—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Senate Bill No. 453—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Senate Bill No. 425—An Act to amend section one thousand six hundred and twenty-four of the Civil Code, relating to the manner of creating contracts.

Senate Bill No. 451—An Act to authorize payment for service rendered in county of tenth class, now in thirteenth class.

Senate Bill No. 455—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relating to letters of administration.

Senate Bill No. 66—An Act to amend section one thousand eight

hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Senate Bill No. 145—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent traveling on railroads without payment of fare.

Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Senate Bill No. 338—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

Senate Bill No. 381—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Senate Bill No. 409—An Act to amend section seventeen of the Political Code, relative to certain words and what they include.

Senate Bill No. 410—An Act to amend section fourteen of the Civil Code, relating to certain terms defined.

Senate Bill No. 411—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Senate Bill No. 412—An Act to amend section seven of the Penal Code, relating to certain words and what included in definition.

Senate Bill No. 500—An Act regulating presumptions on appeals.

Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections three hundred and ninety-seven and three hundred and ninety-eight thereof, relative to place of trial.

Senate Bill No. 220—An Act to create the office of fish and game warden, and to prescribe the powers, duties, and salary of such officer.

Senate Bill No. 435—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Senate Bill No. 218—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four of, and to add three new sections, to be numbered six hundred and twenty-seven, six hundred and twenty-eight, and six hundred and twenty-nine, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Senate Bill No. 502—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Senate Bill No. 503—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Senate Bill No. 254—An Act to provide for the purchase of a portrait of ex-Governor Markham, by the Secretary of State, and to appropriate money therefor.

Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Senate Bill No. 482—An Act to establish kindergarten schools, and to provide for the maintenance, support, and conduct of the same.

Senate Bill No. 565—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections one thousand six hundred and seventeen, one thousand six hundred and sixty-two, and one thousand six hundred and sixty-three of said Code; and by adding two new sections to said Code, to be numbered and known as sections one thousand six hundred and seventy-four and one thousand seven hundred and five, relating to the establishment of kindergarten classes in primary schools.

Senate Bill No. 399—An Act to amend subdivision eleven of section one thousand five hundred and forty-three of an Act entitled "An Act to establish a Political Code," relating to the general duties of School Superintendents.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Gesford, Senate Bill No. 315—An Act to amend section one thousand six hundred and fifty-one of the Political Code of the State of California, relating to the duties and compensation of clerks of school districts—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 519 was substituted therefor on the file.

FIRST READING OF BILLS.

Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Read first time.

Senate Bill No. 533—An Act to amend section one thousand six hundred and thirty-six of the Political Code of the State of California, relating to the duties of Census Marshals.

Read first time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Retrenchment and Public Expenditures, to whom was referred Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SEYMOUR, Chairman.

MOTION.

At eleven o'clock and fifty-nine minutes A. M., on motion of Senator Orr, the hour of recess was extended until twelve o'clock and thirty minutes P. M.

GENERAL FILE—(RESUMED)—FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 534—An Act to amend section one thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to County Boards of Education.

Senate Bill No. 569—An Act to amend section one thousand four hundred and eighty-nine of the Political Code, relating to State Normal Schools.

Senate Bill No. 580—An Act declaring the Petaluma River navigable and a public way from and to certain points herein named.

Senate Bill No. 572—An Act to provide for the erection of a suspension bridge over the Klamath River, below tide water, in Del Norte County, California.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Senate Bill No. 221—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Senate Bill No. 378—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Senate Bill No. 497—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure.

Senate Bill No. 479—An Act to amend section one hundred and sixty, as amended March 15, 1887, of "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior

Court by Superior Judges of other counties, and providing for their actual expenses.

Senate Bill No. 579—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending section one thousand seven hundred and four of said Act, relative to recording papers in probate proceedings.

Senate Bill No. 407—An Act to create and administer a School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Senate Bill No. 474—An Act to provide a depository for the county funds.

Senate Bill No. 499—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined; Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, Calaveras, and Siskiyou.

Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Senate Bill No. 491—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Senate Bill No. 206—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Senate Bill No. 543—An Act to afford greater security to passengers upon stage coaches, wagons, and other conveyances in or upon which express matter, gold or silver bullion, money, treasure, or other valuable thing or things in the custody or under the control of any express company as a common carrier is usually carried, relating to the duties of express companies, and prohibiting armed guards, agents, or messengers from riding in or upon stage coaches, wagons, and other conveyances engaged in carrying passengers for hire, and providing penalties for a violation of, or failure to comply with, the provisions of this Act.

Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Senate Bill No. 369—An Act to amend an Act entitled an Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the

calling and conducting of collections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Senate Bill No. 74—An Act to appoint a committee to report to the thirty-second session of the Legislature on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin.

Senate Bill No. 21—An Act to prevent evil-disposed persons from coming upon the State Prison grounds.

Senate Bill No. 337—An Act to amend chapter one, part two, title nine of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, Cal.

Senate Bill No. 566—An Act for the more effectually prohibiting the keeping or exposing for sale, selling, giving, or permitting others to take any vinous, alcoholic, malt, or spirituous liquors within one mile of the land belonging to this State upon which a State Prison or University is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Senate Bill No. 573—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to members of the Society of California Pioneers.

Senate Bill No. 559—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Senate Bill No. 419—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Senate Bill No. 465—An Act to provide for the formation, organiza-

tion, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Senate Bill No. 149—An Act for the protection of miners, and repealing all Acts in conflict therewith.

Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Senate Bill No. 47—An Act to amend an Act approved March 1, 1893, entitled "An Act to amend section six and section eight of an Act approved March 19, 1889, entitled 'An Act authorizing the incurring of an indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever,' and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;'" also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" relating to the issuance of bonds by municipalities for public improvement.

Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in town and cities.

Senate Bill No. 542—An Act to amend section three thousand six hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the furnishing of the County Assessor with maps.

Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Senate Bill No. 289—An Act providing for the improvement of streets and roads and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts where the population is at least five hundred, and the manner of ascertaining said population.

Senate Bill No. 576—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State.

Senate Bill No. 577—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Senate Bill No. 578—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Senate Bill No. 34—An Act to amend section five hundred and twenty-

seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Senate Bill No. 371—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Senate Bill No. 87—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Senate Bill No. 89—An Act authorizing the formation of county municipal insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Senate Bill No. 567—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator McGowan, Senate Bill No. 256 was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 89 was substituted therefor on the file.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., on motion of Senator Orr, the Senate adjourned until Monday, February 11, 1895, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER, }
Monday, February 11, 1895. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, February 9, 1895, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNALS.

The Journals of Wednesday, February 6, 1895, and Thursday, February 7, 1895, were approved.

JOURNAL AMENDED.

On motion of Senator McGowan, the Journal of Friday, February 8, 1895, was amended as follows:

On page seven, Journal of Friday, February 8th, in eleventh paragraph of report of Committee on Judiciary, second line, strike out word "appeal" and insert in lieu thereof the word "contempt."

MOTION.

Senator Seawell moved that Senate Bill No. 129 be recalled from the Committee on Enrolled and Engrossed Bills, and that the Senate proceed to consider it on its second reading.

So ordered.

Senate Bill No. 129—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Senator Seawell moved to amend as follows:

Amend section one, line two, printed bill, by striking out the words "one hundred fifty-nine," and inserting in lieu thereof the following words: "one hundred and forty-seven."

Adopted.

Also: Amend title of bill by striking out of line one thereof, the figures 146,780, and inserting in lieu thereof the following: 147,280.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

PETITIONS.

Senator McAllister presented the following petition, and same was ordered printed in the Journal:

To the Honorable the Legislature, State of California:

GENTLEMEN: We, the undersigned citizens, barbers by profession, residents of San Francisco, respectfully petition your honorable body to enact a law which will bring

about a uniform system to close up barber shops, and bath houses where such are attached to barber shops, on Sundays and all legal holidays, at the hour of twelve o'clock m., and providing for a fine of not less than twenty-five dollars for the violation of such law. We deem the passage of such a law a benefit to all the members in our profession, and that the time allowed fully meets the wants of the public and secures to us a half day of each week for rest and recreation. And your petitioners would ever pray.

Respectfully,

(Signed:) Shaen & Crown, 409 Pine Street, and three hundred and twenty-three others.

Also, a similar petition from Sacramento, signed by A. Hoefer and thirty-nine others.

Also, similar petition from Petaluma, signed by R. S. Adams and thirteen others.

Also, similar petition from Santa Rosa, signed by Chas. J. Kirsch and fifteen others.

Also, similar petition from Vallejo, signed by William Haberecht and sixteen others.

Also, similar petition from St. Helena, signed by H. Steinacher and five others.

Senator Withington presented the following petitions, and same were ordered printed in the Journal.

RESOLUTIONS UNANIMOUSLY ADOPTED BY THE SAN DIEGO CHAMBER OF COMMERCE.

To the Senate and Assembly of the State of California:

WHEREAS, We are informed a bill has been introduced into the Legislature doing away with County Fairs and providing for simply two State Fairs, one at Sacramento and one at Los Angeles; and whereas, such an arrangement would work a great hardship to all growers, and especially the smaller ones of distant counties; therefore, be it

Resolved, First, That the San Diego Chamber of Commerce heartily protests against the passage of the first part of said bill, viz.: the part abolishing County Fairs.

Second, That we recommend that the funds appropriated for the State Fair at Sacramento be divided, and a portion given towards a second State Fair, to be located in Southern California.

PHILIP MORSE, President.

Attest: R. H. YOUNG, Secretary.

Also the following:

To the Honorable the Senate and Assembly of the State of California:

The Demorest Club of the city of San Diego, California, believing that the contemplated Low License Law is antagonistic to the best welfare of your constituency; that the sovereign right of the people to sustain their constitutional liberty is assailed by it, and that it deprives counties and municipalities of their constitutional privileges in regard to the restriction of saloons in their vicinity, do hereby earnestly protest against the passage of the bill known as the Uniform Low License Law.

FRANK H. MOUSER, Chairman.
NELLIE A. FRENCH.
ANNA M. LIVINGSTON.

Senator Mathews presented the following petition, and same was ordered printed in the Journal:

LOS ANGELES, CAL., February 7, 1895.

To Hon. JOHN R. MATHEWS:

The undersigned, voters of Thirty-seventh Senatorial District, and Notaries Public in and for the County of Los Angeles, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages and who is now their representative in the law-making body of

the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) S. P. Mulford, J. A. Kelly, W. J. Variel, Gregory Perkins, Jr., Edwin A. Meserve, H. W. Duncan, I. W. Stewart, Edwin Baxter, L. A. Phillips, Ed. A. Beck, Alfred Cooper, Chas. A. Baskerville, N. Lindenfeld, Geo. J. Lindenfeld, W. B. Scarborough, O. P. Lockhart, G. G. Johnson, A. C. Hiscock, J. E. Wisman, Henry E. Carter, H. S. Rollins, H. Schwannecke, Stephen G. Long, Geo. W. Parsons, Wm. G. Bradshaw, Fred. A. Walton, J. Scott Oliver, J. H. Krimminger, Leslie R. Hewitt, Samuel Prager, R. H. Brown, John C. Platt, J. F. Goodenow, E. M. Hanna, Jay E. Hunter, M. K. Young, John B. Gibson, H. E. Storrs, Geo. Pomeroy, D. Neuhart.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read :

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following Senate Bills, beg leave to report that the same have been correctly engrossed :

Senate Bill No. 94—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Also: Senate Bill No. 56—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof.

Also: Senate Bill No. 50—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

Also: Senate Bill No. 39—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Senate Bill No. 41—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Also: Committee Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Also: Senate Bill No. 106—An Act authorizing and requiring Boards or Commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Also: Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 306—An Act to amend section one thousand and ninety-eight of the Penal Code of California, in relation to the trial of criminal cases either separately or jointly, in the discretion of the Court.

Also: Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Also: Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Also: Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: Senate Bill No. 12—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, partnerships, associations, or individuals, to do business in this State.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Judiciary Committee Substitute for Senate Bill No. 270—An Act to repeal section five hundred and thirty-seven of the Penal Code, relating to defrauding the proprietors of inns and boarding houses.

Also: Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

SMITH, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WITHINGTON, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

SENATE CHAMBER, SACRAMENTO, February 4, 1895.

MR. PRESIDENT: The undersigned, Chairman of the Committee on Harbors, Rivers, and Coast Defenses, acting in accordance with a request of Governor Budd, and by the permission of the Senate, visited the harbor of San Francisco on the first instant, and now presents his account for mileage, as follows: Senator Gleaves, one hundred and sixty-eight miles, sixteen dollars and eighty cents; therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. M. Gleaves, Chairman, for the sum of sixteen dollars and eighty cents, as per above statement, said warrant to be so drawn upon the Contingent Fund of the Senate, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the report and resolution hereto attached—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

HART, Chairman.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the report of the Sub-Committee on Military Affairs, in regard to their account for mileage due from their visit to and inspection of the troops located at Los Angeles and San Diego—have had the same under consideration, and respectfully report the same back, and recommend that the following resolution be adopted:

Resolved, That the sum of three hundred and sixty-two dollars and forty cents is hereby appropriated out of the fund for the contingent expenses of the Senate, for the purpose of paying the mileage due the Sub-Committee on Military Affairs, and the Controller is hereby directed to draw his warrant in favor of E. F. Bert for said amount, and the Treasurer is directed to pay the same.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Mahoney, Mathews, Mitchell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

PETITION—(OUT OF ORDER).

Senator Simpson presented the following petition, and same was ordered printed in the Journal:

To the Honorable the Senate and the House of Representatives of the State of California:

GENTLEMEN: We, the membership and congregation of the First Methodist Episcopal Church of Pasadena, California, desire most respectfully to offer our protest against the passage of the Uniform Liquor License Bill, which is now before you.

The foregoing was unanimously adopted by a rising vote, one thousand people being present, Sunday morning, February 3, 1895.

CLARK CRAWFORD, Pastor.

PASADENA, CAL., February 7, 1895.

The following organizations hereby enter their protests against the passage of "The Uniform Liquor License Law" for the State of California, now before both branches of our Legislature. This vote was secured on petition in the public assembly, February 3, 1895, through the work of the Pasadena W. C. T. U.:

First Methodist Church.....	1,002
First Universalist Church.....	600
First Congregational Church.....	210
Friends Church.....	250
Christian Church.....	263
Baptist Church.....	122
"The Undenominational" Church.....	150
Pasadena Methodist Church.....	55
Young Men's Christian Association (at afternoon meeting).....	37
Loyal Temperance Legion.....	100
Good Templars.....	121
Woman's Christian Temperance Union.....	88
Total.....	2,998

LEAVE OF ABSENCE.

Senator Gesford was granted a leave of absence for the day, on motion of Senator Mathews.

MOTION.

Senator Biggy moved that Senate Bill No. 44 be taken up out of order, and read first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 44—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read first time, and ordered placed on second-reading special file.

NOTICE OF AMENDMENT TO THE STANDING RULES.

Senator Earl gave notice of an amendment to the Standing Rules of the Senate, as follows:

I hereby give notice that on to-morrow I will move to amend the Standing Rules of the Senate, as follows: Rule 8¹/₂—Senate bills, or bills that have passed the Assembly and have been acted upon favorably by the proper Senate committee, may, on Thursday of each week, be called up as a special order immediately after the approval of the Journal, and may be passed the several readings under a suspension of the constitutional provision; and a motion to suspend such provision shall be in order.

Referred to Committee on State Library and Rules.

Senator Aram gave notice of an amendment to the Standing Rules of the Senate, as follows:

Notice is hereby given that at the regular session of this body on Tuesday, February 12, 1895, motion will be made to amend and change subdivision twenty-six of standing rule sixteen, in relation to the Committee on Public and Swamp and Overflowed Lands, by increasing the number of said committee to seven members, pursuant to resolution hereto annexed:

Resolved, That Subdivision 26, of Standing Rule 16, in relation to the Standing Committee on Public and Swamp and Overflowed Lands, be amended so as to read as follows:

"26. Public and Swamp and Overflowed Lands, seven members."

Referred to Committee on State Library and Rules.

REPORT OF THE SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 15, authorizing the Judges of the Superior Court in all counties and cities having a population of two hundred thousand inhabitants and over, to appoint a Secretary—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FAY, Chairman.

On motion of Senator Hart, Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization—was re-referred to Committee on Constitutional Amendments, but to retain its place on file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gleaves: Senate Bill No. 689—An Act requiring the recording of maps of cities, towns, etc.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 690—An Act to amend an Act entitled "An Act to define the duties of and to license land surveyors," approved March 31, 1891, by amending certain sections thereof, and creating others therefor, to make the Act more complete.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 691—An Act entitled an Act to amend section one thousand nine hundred and eighty of the Political Code.

Referred to Committee on Military Affairs.

By Senator Arms: Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Referred to Committee on Claims.

Also: Senate Bill No. 693—An Act to amend sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-seven, six hundred and thirty-eight, and six hundred and forty-one of the Civil Code, relating to mutual building and loan associations.

Referred to Committee on Corporations.

By Senator Earl: Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title.

Referred to Committee on Judiciary.

Also: Senate Bill No. 695—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, by adding a new section thereto, to be designated as section twenty-four and one half, authorizing the widening of two or more streets, squares, lanes, alleys, courts, or places, in one proceeding in certain cases.

Referred to Committee on City, City and County, and Town Governments.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 8, 1895. }

To the Senate of the State of California:

I hereby nominate Henry F. Emeric, of San Francisco, to the office of Fish Commissioner, vice H. L. Macniel, resigned, and respectfully ask your consent to the same.

JAMES H. BUDD, Governor.

MOTION.

Senator McGowan moved that the Senate do now advise and consent to the appointment of Henry F. Emeric, of San Francisco, as Fish Commissioner, vice H. L. Macniel, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Henry F. Emeric as Fish Commissioner?" by direction of the President pro tem. the roll was called, with the following result:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Ford, Franck, Henderson, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Whereupon the President pro tem. announced the appointment of Henry F. Emeric as Fish Commissioner duly confirmed.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 213—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Also: Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders and lodgers, intrusted to their care.

Also: Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Also: On the fifth day of February, adopted Assembly Constitutional Amendment No. 19—A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees.

S. J. DUCKWORTH, Chief Clerk.
By ANDY BRANCH, Assistant.

Assembly Bills Nos. 213 and 174 referred to Committee on Judiciary.
Senate Bill No. 429 ordered to enrollment.

Assembly Constitutional Amendment No. 19 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth of February, passed Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Also: Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 78 and 39 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 248 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of February, 1895, passed Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 52 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Constitutional Amendment No. 33—Proposed amendment relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Also: Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

S. J. DUCKWORTH, Chief Clerk.

Assembly Constitutional Amendment No. 33 referred to Committee on Constitutional Amendments.

Assembly Bill No. 361 referred to Committee on Mines, Drainage, and Mining Debris.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Seawell, Senate Bill No. 559—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—was, with the unanimous consent of the Senate, with-

drawn, and Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—was substituted therefor on the file, for the reason that it was identical with Senate Bill No. 559.

The history of Senate Bill No. 559 is: Committee recommended that "it do pass." Bill read first time.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Committee on County Government and Township Organization: Senate Bill No. 696—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Ordered on file.

By Senator Linder: Senate Bill No. 697—An Act to repeal an Act entitled "An Act to secure the wages of persons employed as laborers on threshing machines," approved March 12, 1885.

Referred to Committee on Labor and Capital.

By Senator Mahoney: Senate Bill No. 698—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Referred to Committee on Education and Public Morals.

By Senator Androus: Senate Bill No. 700—An Act to regulate the employment of laborers and mechanics on public works.

Referred to Committee on Labor and Capital.

Also (by request): Senate Bill No. 701—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Referred to Committee on Judiciary.

By Senator Fay: Senate Bill No. 702—An Act to amend "An Act to prevent the trespassing of animals upon private property in the counties of Santa Barbara, San Luis Obispo, and Monterey," approved February 6, 1864.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Pedlar: Senate Bill No. 703—An Act to amend an Act relating to "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 704—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to repeal section seven hundred and twenty-nine thereof, relating to actions for the foreclosure of mortgages.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Withington:

Resolved, That one thousand copies of Senate Bill No. 696 be printed for the use of the Senate.

Adopted.

Senator Henderson moved that Senate Bill No. 516 be withdrawn from the Committee on City, City and County, and Town Governments, and referred to the San Francisco Delegation.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the passage of Senate Bill No. 431.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Androus:

Resolved, That a special committee of three be appointed, with the authority to investigate the amount collected as pilot charges by the Pilot Commissioners of San Francisco, during the past four years.

Referred to Committee on Commerce and Navigation.

At three o'clock and ten minutes P. M. Senator Ford was called to the chair by the President pro tem.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred proposed amendment to the rules increasing membership of Committee on Public and Swamp and Overflowed Lands to seven, said amendment being offered by Senator Aram, and to whom was also referred proposed Rule 8½, offered by Senator Earl—have had the same under consideration, and respectfully report the same back, and recommend that said amendments be adopted.

EARL, Chairman.

SPECIAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read third time.

The question being on the passage of Senate Bill No. 366.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Read third time.

The question being on the passage of Senate Bill No. 291.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Seymour, Shine, Shippee, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Read third time.

The question being on the passage of Senate Bill No. 365.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Gleaves, Hart, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Read third time.

The question being on the passage of Senate Bill No. 327.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

FIRST READING OF BILLS.

The following bills were read first time and ordered on file for second reading:

Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act

entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

At three o'clock and twenty-five minutes P. M. President pro tem. Thomas Flint, Jr., resumed the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Referred to Committee on Finance.

By Senator Mathews: Senate Bill No. 706—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts, and to repeal chapter two hundred and forty-one of the Statutes of 1891.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Referred to Committee on Education and Public Morals.

By Senator Ford: Senate Bill No. 708—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section one thousand four hundred and thirty-one thereof.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of sixty-seven dollars and twenty cents, as per voucher hereto attached, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same:

SACRAMENTO, February 9, 1895.

State of California, to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

For expenses incurred, as follows: Serving subpoenas for Committee on Claims:

Chas. Thompson, 815 Ellis Street, San Francisco, Cal., witness, 168 miles.....	\$16 80
P. Deav, 815 Ellis Street, San Francisco, Cal., witness, 168 miles.....	16 80
L. F. Blackburn, Sergeant-at-Arms, mileage, service on Chas. Thompson, 168 miles.....	16 80
L. F. Blackburn, Sergeant-at-Arms, mileage, service on P. Deav, 168 miles.....	16 80

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 195—An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893.

Also: Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Also: Senate Bill No. 10—An Act to prescribe conditions upon which certain insurance associations, known as Lloyds, may be admitted to transact insurance business in this State.

Also: Senate Bill No. 13—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Also: Senate Bill No. 352—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Also: Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Also: Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Also: Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Lone, Amador County, California.

Also: Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Lone, California.

Also: Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Also: Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

SMITH, Chairman.

NOTICES TO RECONSIDER.

Senator Langford gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 365 was on this day passed.

Senator Langford gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 366 was on this day passed.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed on file.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to article nine of the Constitution, section seven, relative to the free distribution of State text-books of the common schools of the State of California.

Passed on file.

SECOND READING OF BILL.

Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

During the second reading of the bill, Senator McAllister moved to amend as follows:

By striking out of section two, line two, printed bill, the words "two thousand seven hundred and ninety-six dollars," and inserting in lieu thereof the following words: "three thousand and fifty dollars and ninety cents."

Adopted.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

FIRST READING OF BILLS.

Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Read first time, and ordered on second-reading special file.

Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Read first time, and ordered on second-reading special file.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Passed on file, at request of author.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

MOTION.

On motion, Senate Bill No. 15 was referred to Senator Bert, as a special committee of one, with instructions to amend as follows:

By adding after the word "Fund" in section one, line six, printed bill, the following: "of such counties and cities and counties."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 15, with instructions to amend, respectfully reports the same back, amended as per instructions.

BERT, Committee.

Report of committee of one and amendment adopted.

Bill read third time, ordered printed and reingrossed as amended, and to retain its place on file.

Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read third time.

MOTION.

On motion, Assembly Bill No. 26 was referred to Senator Simpson, as a special committee of one, with instructions to amend as follows:

By inserting in section one, line ten, of printed bill, after the word "section," the following words: "or with either of the provisions of the ordinance granting said right of way."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 26, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872
Passed on file.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Passed on file.

FINAL PASSAGE OF BILL.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

The bill having been read the third time on a previous day.

The question being on the final passage of Assembly Bill No. 449.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Langford, Mahoney, Mathews, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

THIRD READING OF BILLS.

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Passed on file, at request of Senator McGowan.

Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Read third time.

The question being on the passage of Senate Bill No. 88.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Langford, Linder, Mathews, McAllister, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Passed on file, at request of Senator Earl, to retain its place.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Read third time.

MOTION.

On motion, Senate Bill No. 184 was referred to Senator Simpson, as a special committee of one, with instructions to amend as follows:

By inserting in section one, line ten, printed bill, after the word "administration," the words: "whose term of office has expired and."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 184, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed and reingrossed as amended, and to retain its place on file.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Seymour, Senate Bill No. 133—An Act to prohibit officers or employes of savings banks from holding any office in any national, commercial, or State bank, and to prohibit the location of any savings bank or its continuance in business in any building in which the business of a national, State, or commercial bank is conducted—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties—was substituted therefor on the file.

The history of Senate Bill No. 133 is: Committee recommended that "it do not pass." Bill read first time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 5—Proposing an amendment to article thirteen of the Constitution, relative to taxation of property—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That the State Printer be requested to print two hundred and fifty more copies of the paper entitled "Origin and Growth of the Municipal Law of the State of California," by John J. Boyce, and read by him before the Bar Association of San Francisco on January 12, 1895, and the same be delivered to the Secretary of the Senate.

Adopted.

MOTION.

On motion of Senator McGowan, Senate Bill No. 99 was re-referred to Committee on County Government and Township Organization, and to retain its place on file.

ADJOURNMENT.

At four o'clock and ten minutes p. m., on motion of Senator Androus, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 12, 1895. }

The Senate met pursuant to adjournment, at ten o'clock a. m.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

PETITIONS.

Senator Ford presented the following petition, and same was ordered printed in the Journal:

We, the undersigned, interested in mining in Nevada City, Nevada County, enter a vigorous protest against the abolition of the State Mining Bureau, or its transfer to the State University.

The Mining Bureau is the only State institution maintained in the interest of the miners of California, and is doing useful and satisfactory work. It should be continued as it is, and a liberal appropriation given to still further help the mining interests of California, which need fostering just as much as those of an agricultural nature.

(Signed:) B. S. Rector, Edward Muller, Julien A. Heyer, George A. Treadwell, B. Bullard, H. H. Fisher, T. W. Jones, T. J. Benney, Cal. R. Clarke, William Walters, John Webber, H. J. Wright, H. Stein, A. H. Trikel, M. D., William Losch, C. E. Mulloy, Lowell E. Mulloy, P. G. Scadden, J. M. Walling, A. D. Mason, Edwin Tilley, James Graham, Ernest Zoerbier, Will G. Doane, Albert D. Allan, M. M. Baruh, W. D. Vinton, F. J. Conlen, W. H. Crawford, N. L. Beightol, W. C. Gray, Richard Foote, J. A. Rapp, J. B. Tully, E. S. Edwards, T. W. Tozen, Grant Darsey, Jack Langdon, Frank Langman, C. W. Monroe, Geo. A. Nihell, H. Pengelly, H. L. Jones, William Barker, A. Blumenthal, J. D. Fleming, Geo. C. Gayland, A. J. Soard, W. B. Cehr, A. Harting, F. C. Luetje, C. J. Brand, F. L. Cooper, H. M. Cooper, E. H. Moore, W. H. Organ, F. E. Brown, Frank Vaughn, C. H. Woerner, S. Buker, W. H. Pearson, B. N. Shoecraft, F. Zeitler, S. L. Rogers, Ed Smith, Jas. Quinn, Jas. Kendall, Wm. L. Inglis, F. E. Wadsworth, proprietor "Herald," Nevada City; William Reynolds, printer, Nevada

City; W. L. Boardman, printer, Nevada City; W. J. Gray, printer, Nevada City; John Swart, photographer, Nevada City; A. E. Baugh, editor "Herald," Nevada City; Frank Wright, miner, North San Juan; Frank T. Nilon, attorney, Nevada City; W. W. Waggoner, civil engineer, Nevada City; J. G. O'Neill, school teacher, Nevada City; W. H. Martin, County Assessor, Nevada City; J. J. Greany, County Clerk, Nevada City; S. S. Gaffney, stage driver, Nevada City; John Trevna, teamster, Nevada City; Carl J. Brand, Jr., with W. F. & Co., Nevada City; C. J. Naffziger, butcher, Nevada City; R. H. Webber, shoe merchant, Nevada City; W. L. Williamson, miner, Washington; George L. Hughes, attorney, Nevada City; Henry Goering, Nevada City; Carl Hesse, Superintendent Odin Gravel Mine, Nevada City; Free Woodman, William H. Smith, Alex. Gouff, W. E. Johnston, Harry H. Lawrence, George F. Jacobs, Emmet Costello, I. J. Rolfe, C. L. Muller, M. D., Ben Rose, R. M. Hunt, Geo. E. Turner, A. D. Forrest, A. Wutke, J. Cairns, Edward S. Calkins, B. E. Snell, H. Cooper, W. J. Britland, J. M. Hadley, John Merry, J. J. Jackson, D. F. Bell, F. T. Smith, W. Morrow, W. F. Englebright, E. B. Power, George E. Johnston, James G. Neagle, H. J. Carter, E. J. Morgan, Charles Grimes, W. G. Richards, Wm. H. Smith, Jr., August Lademann, J. F. Douglass, John T. Morgan, W. W. Kirkham, M. L. Marsh.

Senator Whitehurst presented the following petition, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) David Grover, G. M. Smith, Mrs. L. A. Smith, L. Hamm, John Senter, Jennie M. Farwell, N. R. Grover, A. H. Davidson, Mrs. Jas. McWilliams, Clara McWilliams, Fannie McWilliams, Mattie McWilliams, Joseph Leece, William Small, Luther McCros, Alfred Harris, Geo. W. Wetman, H. B. McClew, D. R. Posttethwaite, M. Posttethwaite, J. H. Posttethwaite, Sophia A. Garrod, John G. Gasmann, E. C. Gasmann, C. L. Sanford, Laura B. Cloud, Laura Cloud, S. H. Cloud, S. G. Nesbit, J. F. Kenyon, E. B. Baily, Mrs. M. J. Davis, H. J. Loken, Mrs. A. E. Nesbit, C. F. Boosinger, S. W. Pearson, Ruben Hart, Mrs. Kenyon, Mrs. Sarah Woodward, Emma Pearson, T. B. Hopkins, Alfred Manning, Ann M. Russell, E. W. Russell, Mrs. Manning, C. B. Carter, John Hartman, Eliza Hartman, S. C. Servoss, George K. Darsett, Ida A. Darsett, W. A. Rice, O. E. Mepner, W. H. Davies, S. H. Hill, J. R. Kerr, Mrs. Shadle, Henry Shadle, O. E. Clark, Lyman McGuire, E. E. Hermmingway, W. H. Croft, F. M. Farewell, E. G. Cross, M. Ahee McPherson, Martha Jeffers, Eliza Cross, Mary H. Cross, M. C. Cowllinn, Martha J. George, W. T. King, C. Cunningham, W. F. Finnermore, H. Finnermore, A. A. Larimore, A. Parey, Mrs. C. E. Kirek, A. E. Russell, Mrs. J. M. Shepherd, Peter Cortley, Mrs. C. H. Gardner, Mrs. L. A. Tumagalli, Chas. E. Royer, Mrs. W. H. Haun, Mr. W. H. Haun, O. P. Christensen, Phoebe A. Emery, J. M. Lipscombe, T. W. Whitehurst, P. M. Buchanan, J. Christensen, Chas. Halwick, Mrs. S. Gasatti, Mrs. A. G. Fitts, John G. Fitts, Mrs. S. F. Whitehurst, Mrs. Ruth Boltin, S. H. Elliott, W. F. Barven, D. H. Bryant, R. Colfield, S. H. Wyatt, H. T. Plant, Sarah W. Palmer, Mary E. King, E. Brown Foblinger, B. C. Allen, Helen M. Plant, C. N. Wyatt, E. A. Norton, D. MacPherson, Jas. Fallmyer, Carrie A. Richards, James T. Richards, S. G. Nelson, J. R. Herriman.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 492—An Act to appoint a committee to locate a penitentiary at some point in San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Fresno, Kings, Kern, San Benito, or Inyo County—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 450—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instruments of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 516—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over one hundred thousand inhabitants, from and after the first day of January, A. D. 1900—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the San Francisco Delegation.

SIMPSON, Chairman.

Senate Bill No. 516 re-referred to the San Francisco Delegation.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January, of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Also: Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Also: Senate Bill No. 406—An Act appropriating money to pay the claim of T. Carl Spelling for legal services.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County in 1892—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 438—An Act making an appropriation for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 489—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from

the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Also: Senate Bill No. 140—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 139—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 326—An Act to provide for the purchase of certain portraits—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Finance.

ANDROUS, Chairman.

Senate Bills Nos. 489, 140, 139, and 326 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 96—An Act to provide for incorporation, operation, and management of cooperative associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 108—An Act to authorize the several counties of this State to provide for the construction and operation of railroads within their several counties, and to create a bonded indebtedness for that purpose.

Also: Senate Bill No. 227—An Act prohibiting discrimination by corporations engaged in supplying water or gas to the inhabitants of municipalities, and providing that deposits shall not be exacted for placing meters.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Judiciary, to pass upon the constitutionality of each.

Also: Senate Bill No. 19—An Act to authorize the incorporation of mutual associations to transact the business of life or accident insurance on the assessment plan, and to control such corporations of this State and corporations of other States transacting the business of assessment insurance in this State, and providing and fixing the punishment for violation of the provisions hereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

ORR, Chairman.

Senate Bills Nos. 108 and 227 re-referred to Committee on Judiciary.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Bill No. 612—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General as the general locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 26—An Act entitled an Act to amend the Act of March 14, 1891, entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress," waiving the title of the State to lands therein, and accept-

ing the provisions made therefor under section two thousand two hundred and seventy-five of the Revised Statutes of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Bill No. 613—An Act authorizing and directing the Governor of the State of California to pay the traveling expenses of the River and Harbor Committee of the House of Representatives of the United States, if the same should visit California, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River and other inland waters of the State—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted, owing to the fact that the same subject-matter is contained in Senate Concurrent Resolution No. 7.

Also: Assembly Joint Resolution No. 13—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Joint Resolution No. 2—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted, as the former, relating to the free coinage of silver, covers the subject-matter of the latter.

BEARD, Chairman.

Senate Bill No. 613 re-referred to Committee on Finance.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture and Viticulture, to whom was referred Senate Bill No. 510—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 509—An Act entitled an Act to prevent deception in the sale of cheese.

Also: Senate Bill No. 636—An Act to amend section one thousand eight hundred and fifty-four of the Civil Code of California, relating to the duties of depositaries.

Also: Senate Bill No. 644—An Act fixing a bounty on rabbit scalps, and making an appropriation of money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 238—An Act appropriating money for the use of the two State forestry stations at Chico and at Santa Monica—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that it be re-referred to Committee on Finance.

Also: Senate Bill No. 113—An Act to prevent the use of fraudulent marks on merchandise—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SHIPPEE, Chairman.

Senate Bills Nos. 238 and 644 re-referred to Committee on Finance.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of sixty-seven dollars and twenty cents, as per voucher hereto attached, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same:

SACRAMENTO, February 9, 1895.

State of California, to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

For expenses incurred, as follows: Serving subpoenas for Committee on Claims:
Chas. Thompson, 815 Ellis Street, San Francisco, Cal., witness, 168 miles. \$16 80
P. Deay, 815 Ellis Street, San Francisco, Cal., witness, 168 miles. 16 80

L. F. Blackburn, Sergeant-at-Arms, mileage, service on Chas. Thompson, 168 miles \$16 80
L. F. Blackburn, Sergeant-at-Arms, mileage, service on P. Deav, 168 miles..... 16 80

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

HART, Chairman.

MOTION.

On motion of Senator Seawell, the report and resolution was re-referred to the Committee on Attachés, Contingent Expenses, and Mileage, for further consideration.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gleaves: Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

By Senator Seymour: Senate Bill No. 710—An Act to amend section two thousand two hundred and eleven of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and seventeen of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and twenty of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc.; and to add a new section to the Political Code, to be known and designated as section two thousand two hundred and twenty-three of the Political Code, relating to the examination of insane persons after committal.

Referred to Committee on Hospitals.

Also: Senate Bill No. 711—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relating to the claims by third persons to property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received, and as to the liability of Sheriffs in levying such writs of execution and attachment, and as to the liability of Sheriffs in levying writs of execution or attachment upon property claimed as exempt from execution under section six hundred and ninety of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 712—An Act requiring Boards of Supervisors, Common Councils, or Boards of Trustees in cities, cities and counties, or towns in this State to fix the price at which electricity and gas shall be sold for illuminating purposes.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 713—An Act to define the location and provide for the offices of the Bank and Insurance Commissions.

Referred to Committee on Banks and Banking.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read :

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 374 —An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Assembly Bill No. 454 —An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 452, 454, 456, and 17 referred to Committee on Finance.

RECONSIDERATION.

Senator Langford, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 366 was passed, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Martin, Mathews, McAllister, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

Senate Bill No. 366—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Langford, Senate Bill No. 366 was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 374 was substituted therefor on the file, for the reason that it was identical with Senate Bill No. 366.

The history of Senate Bill No. 366 is: Committee recommend that "it do pass." Bill read third time.

On motion of Senator Langford, Assembly Bill No. 374 was, with the unanimous consent of the Senate, ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read first time, and ordered on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 714—An Act to amend section fifty-three of the Code of Civil Procedure, relating to the judgments of the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 21—Proposing an amendment to section one of article fourteen of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section thirteen of article one of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same—have had the same under consideration, and respectfully report a substitute for the same, and recommend that the substitute do pass.

FLINT, Chairman.

Senate Bill No. 449 re-referred to Committee on Finance.

PETITION—(OUT OF ORDER).

Senator McAllister presented the following petition, and same was ordered printed in the Journal:

To Hon. ELLIOTT McALLISTER, State Senator:

The undersigned, voters of your district, and Notaries Public in and for the County of Marin, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now

none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) E. B. Martinelli, M. C. Dufficy, James W. Cochrane, George D. Shearer, John L. Greer, E. B. Mahan, S. M. Augustine, James Tunstead, Hepburn Wilkins.

CHANGE IN STANDING RULES.

Senator Aram, in compliance with his notice given on yesterday, moved that the Standing Rules of the Senate be amended, and that the report of the Committee on State Library and Rules, presented yesterday, approving the following amendments, be adopted:

Resolved, That Subdivision 26, of Standing Rule 16, in relation to the Standing Committee on Public and Swamp and Overflowed Lands, be amended so as to read as follows:

"26. Public and Swamp and Overflowed Lands, seven members."

Resolved, That rules be amended as follows:

Rule 8¹/₂. Senate bills, or bills that have passed the Assembly and have been acted upon favorably by the proper Senate committee, may, on Thursday of each week, be called up as a special order immediately after the approval of the Journal, and may be passed the several readings under a suspension of the constitutional provision; and a motion to suspend such provision shall be in order.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

ADDITIONAL MEMBERS TO COMMITTEE ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

Whereupon President pro tem. Thomas Flint, Jr., appointed as members of the Committee on Public and Swamp and Overflowed Lands, in compliance with the change in the Standing Rules of the Senate, Senators Aram and McAllister.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

During the second reading of the bill, the following amendment, suggested by Committee on Finance, was submitted:

Amend by striking out of section two, line one, printed bill, the words "its passage," and inserting the following: "January 1, 1896."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

During the second reading of the bill, Senator Biggy moved to amend as follows:

By striking out of section one, line six, printed bill, the words "The Hastings College of the Law."

Amendment adopted.

The following amendment, suggested by Committee on Retrenchment and Public Expenditures, was submitted:

Amend printed bill by striking out of lines one and three, of section two, the words "the Governor is also hereby authorized and directed to appoint a competent attorney who, in consultation with."

Also: Strike out of lines four and five of said section, the words "and who shall hold office at a monthly salary of two hundred dollars, until the said building shall be finally completed and accepted by said Commission."

Amendment adopted.

Senator Biggy moved to amend as follows:

By striking out of section eight, line six, the words "the attorney's fee heretofore provided for, and."

Amendment adopted.

Bill read second time.

On motion of Senator Biggy, bill ordered printed and referred to Committee on Finance, but to retain its place on file.

LEAVE OF ABSENCE.

Senator Mahoney was granted a leave of absence for the day, on motion of Senator Seawell.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article—have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

WITHDRAWAL AND SUBSTITUTION.

On motion of Senator Mathews, Senate Constitutional Amendment No. 5, relative to taxation of property, was, with the unanimous consent of the Senate, withdrawn, and Assembly Constitutional Amend-

ment No. 33 was substituted therefor on the file, for the reason that it was identical with Senate Constitutional Amendment No. 5.

MOTION.

Senator Mathews moved the adoption of Assembly Constitutional Amendment No. 33.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 33 (COMMITTEE SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT Nos. 1, 2, 16).

Proposed amendment relative to amending the Constitution of State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

The Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that the Constitution of the State of California be amended by repealing sections four and five of article thirteen thereof, and by amending section one of said article, so as to read as follows:

SECTION 1. All property in the State not exempt under the laws of the United States, or this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matter and things, real, personal, and mixed, capable of private ownership; *provided*, that property used for free public libraries and free public museums, growing crops, mortgages, trust deeds, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation. The Legislature may provide for a reduction from credits of debts due *bona fide* residents of this State.

SEC. 2. Section four of article thirteen of this Constitution is hereby repealed.

SEC. 3. Section five of article thirteen of this Constitution is hereby repealed.

CALL OF THE SENATE.

Before the roll was called upon the adoption of Assembly Constitutional Amendment No. 33, Senator Mathews moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, and Toner.

During the roll call Senator Mathews moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was thereupon called on the adoption of Assembly Constitutional Amendment No. 33, and the same was adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

NOES—Senators Burke, Earl, Franck, McGowan, and Shine—5.

MOTION.

On motion of Senator Mathews, Assembly Constitutional Amendment No. 33 was ordered immediately transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 314—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Also: Senate Bill No. 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

Have had the same under consideration, and respectfully report the same back with a substitute for said bills, and recommend that said substitute do pass.

ORR, Chairman.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Resolved by the ———, the ——— concurring. That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby proposes that article six of the Constitution of said State be amended so as to read as follows:

ARTICLE VI.

JUDICIAL DEPARTMENT.

Judicial power.

SECTION 1. The judicial power of the State shall be vested in the Senate, sitting as a Court of Impeachment, in a Supreme Court, Appellate Courts, Superior Courts, Justices of the Peace, and such inferior tribunals as the Legislature may establish in any incorporated city or town, or city and county.

Supreme Court.

SEC. 2. The Supreme Court shall, until the expiration of the official term of the two Associate Justices of the present Supreme Court having the shortest term to serve, consist of a Chief Justice and six Associate Justices; and thereafter it shall consist of a Chief Justice and four Associate Justices. The Chief Justice and Associate Justices now in office shall constitute the Supreme Court, and shall continue in office until their terms of office have respectively expired. The presence of a majority of said Justices shall be necessary for the transaction of business, except such business as may be done at chambers; and the concurrence of a majority of the Justices of the Court shall be necessary to pronounce a judgment. The Supreme Court shall hold its sessions at the City and County of San Francisco, until otherwise provided by the Legislature. The Chief Justice and Associate Justices of the Supreme Court shall be elected at the elections at which members of the State Legislature shall be elected. The term of office of the Chief Justice and the Associate Justices of the Supreme Court shall be ten years from and after the first Monday after the first day of January next succeeding their election.

Justices of Appellate Courts.

SEC. 3. The Justices of the Appellate Courts shall be elected by the qualified electors of their several appellate districts, respectively, at the elections at which members of the

State Legislature shall be elected. The term of office of the Justices of the Appellate Courts shall be eight years from and after the first Monday after the first day of January next succeeding their election.

Vacancies.

SEC. 4. If a vacancy occur in the office of a Justice of the Supreme Court, or any of the Appellate Courts, the Governor shall appoint a person to hold the office until the election and qualification of a Justice to fill such vacancy. Such election shall take place at the next succeeding general election, and the Justice so elected shall hold office for the remainder of the unexpired term.

Appellate Courts.

SEC. 5. There shall be three Appellate Courts, each of which shall consist of three Justices. There shall be a presiding Justice of each of said Courts, who shall be elected by the members thereof.

The presence of two Justices of each of said Courts shall be necessary for the transaction of business, other than at chambers, and the concurrence of two Justices shall be necessary to pronounce a judgment.

Subject to such changes as the Legislature may, from time to time, make in the assignment of counties to the districts, the First Appellate District shall embrace the following named counties: Sacramento, San Joaquin, Calaveras, Alpine, Amador, El Dorado, Placer, Nevada, Yuba, Sutter, Yolo, Lake, Mendocino, Colusa, Glenn, Butte, Sierra, Plumas, Tehama, Humboldt, Trinity, Shasta, Lassen, Modoc, Stanislaus, Siskiyou, Del Norte, Tuolumne, Mariposa, Mono, Merced, Solano, and Napa.

The Second Appellate District shall embrace the following named counties: Fresno, Madera, Inyo, Tulare, San Luis Obispo, Kern, Kings, San Bernardino, Santa Barbara, Ventura, Orange, Los Angeles, Riverside, San Diego, Santa Cruz, San Benito, and Monterey.

The Third Appellate District shall embrace the City and County of San Francisco, and the following named counties: San Mateo, Santa Clara, Alameda, Contra Costa, Sonoma, and Marin.

The Appellate Court of the First District shall hold its sessions at the city of Sacramento; the Appellate Court of the Second District, at the city of Los Angeles; and the Appellate Court of the Third District, at the City and County of San Francisco.

Jurisdiction of Supreme Court.

SEC. 6. The Supreme Court shall have jurisdiction:

1. Of every case by appeal directly from the Superior Court, in which a question of constitutional law is involved, and its determination is necessary to the decision of the case.

2. Of every case by appeal directly from the Superior Court, wherein is involved necessarily the question of the validity of any Act or statute of the Legislature of this State.

3. Of every case by appeal directly from the Superior Court, on questions of law alone, in which the death penalty, or imprisonment for life, has been adjudged.

4. Of every case by appeal directly from the Superior Court, in which is involved the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine.

5. Of every case where a conflict of decision has arisen between two Appellate Courts; in which event the Supreme Court shall have the power, within thirty days after the remittitur has been transmitted to the Court below in the case which has produced the conflict, to grant the right of appeal in such case; and thereupon an appeal may be taken, in such latter case, to the Supreme Court, within twenty days after the order of the Supreme Court has been made granting the appeal.

6. Of every case appealed in the first instance to an Appellate Court, which shall be determined by the latter to come within either of the first two subdivisions of this section. In such cases the appeal shall not fail or be dismissed, but the case shall be transferred by the Appellate Court to the Supreme Court.

Jurisdiction of Appellate Courts.

SEC. 7. Except in those cases in which an appeal lies directly to the Supreme Court as in the foregoing section provided, each Appellate Court shall have jurisdiction on appeal from any Superior Court within its district, in all cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one thousand dollars; in all criminal cases prosecuted by indictment or by information in any superior Court on questions of law alone; in cases of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all such probate matters as may be provided by law; in cases of divorce and for annulment of marriage, and in all special cases and proceedings not in this section otherwise provided for.

Writs.

SEC. 8. The Supreme Court and each Appellate Court shall have power to issue writs of mandamus, certiorari, and prohibition, and all writs and orders necessary or proper to the complete exercise of its jurisdiction.

Each Justice of the Supreme Court shall have power to issue writs of habeas corpus to any part of the State upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the Supreme Court, or before any Appellate Court or Justice thereof, or before any Superior Court or Judge thereof.

Any Justice of an Appellate Court shall have power to issue writs of habeas corpus to any part of his district, upon petition by or on behalf of any person held in actual custody in his district, and may make such writs returnable before himself, or before the Appellate Court of which he is a member, or before any department thereof, or before any Justice of said Court, or before any Superior Court situate within his district, or before any Judge thereof.

When judgments shall become final.

SEC. 9. No judgment of the Supreme Court, or of any Appellate Court, shall become final until the expiration of thirty days after such judgment.

Jurisdiction of Superior Courts.

SEC. 10. The Superior Court shall have original jurisdiction in all cases which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate; of divorce and for annulment of marriage; and of all such special cases and proceedings as are not otherwise provided for. And said Court shall have the power of naturalization, and to issue papers therefor. They shall have the appellate jurisdiction in such cases arising in Justices' and other inferior Courts in their respective counties, as may be prescribed by law. They shall be always open (legal holidays and non-judicial days excepted); and their process shall extend to all parts of the State; *provided*, that all actions for the recovery of the possession of, quieting the title to, or for the enforcement of liens upon, real estate, shall be commenced in the county in which the real estate, or any part thereof, affected by such action or actions is situated. Said Courts, and their Judges, shall have power to issue writs of mandamus, certiorari, prohibition, and quo warranto, and writs of habeas corpus, on petition by or on behalf of any person held in actual custody in their respective counties. Injunctions and writs of prohibition may be issued and served on legal holidays and non-judicial days.

Superior Courts. Election and terms of Judges.

SEC. 11. There shall be in each of the organized counties, or cities and counties, of the State, a Superior Court, for each of which at least one Judge shall be elected by the qualified electors of the county, or city and county, at the general State election; *provided*, that until otherwise ordered by the Legislature, only one Judge shall be elected for the counties of Yuba and Sutter, and that in the City and County of San Francisco there shall be elected twelve Judges of the Superior Court, any one or more of whom may hold Court. There may be as many sessions of said Court at the same time as there are Judges thereof. The said Judges shall choose from their own number a Presiding Judge, who may be removed at their pleasure. He shall distribute the business of the Court among the Judges thereof, and prescribe the order of business. The judgments, orders, and proceedings of any session of the Superior Court, held by any one or more of the Judges of said Court, respectively, shall be equally effectual as if all the Judges of said respective Courts presided at such session. In each of the counties of Sacramento, San Joaquin, Sonoma, Santa Clara, and San Bernardino, there shall be elected two of such Judges, and in the counties of Fresno and San Diego there shall be elected three of such Judges, and in the county of Alameda there shall be elected four of such Judges, and in the county of Los Angeles there shall be elected six of such Judges. The term of office of Judges of the Superior Courts shall be six years from and after the first Monday in January next succeeding their election; *provided*, that said Judges shall continue classified as heretofore, and go out of office by rotation in the manner provided by law at the time this amendment shall take effect. If a vacancy occur in the office of Judge of a Superior Court, the Governor shall appoint a person to hold the office until the election and qualification of a Judge to fill the vacancy, which election shall take place at the next succeeding general election, and the Judge so elected shall hold office for the remainder of the unexpired term. The Superior Judges in office at the time this amendment shall take effect shall continue in office until their respective terms shall have expired.

Sessions of Superior Courts.

SEC. 12. In any county, or city and county, in which there shall be more than one Judge of the Superior Court, the Judges of such Court may hold as many sessions of said Court at the same time as there are Judges thereof, and shall apportion the business among themselves as equally as may be.

Superior Courts by Judges of other counties. Judges pro tempore.

SEC. 13. A Judge of any Superior Court may hold a Superior Court in any county, at the request of the Judge of the Superior Court thereof; and upon the request of the Governor it shall be his duty so to do. But a cause in a Superior Court may be tried by a Judge *pro tempore*, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the Court, and sworn to try the cause.

Absence of judicial officers. Increase or reduction of number of Judges.

SEC. 14. The Legislature shall have no power to grant leave of absence to any judicial officer; and any such officer who shall absent himself from the State for more than sixty consecutive days shall be deemed to have forfeited his office. The Legislature of

the State may at any time, two thirds of the members of the Senate, and two thirds of the members of the Assembly voting therefor, increase or diminish the number of Judges of the Superior Court in any county, or city and county, in the State: *provided*, that no such reduction shall affect any Judge who has been elected.

Removal of Justices, Judges, and judicial officers.

SEC. 15. Justices of the Supreme Court and Appellate Courts, and Judges of the Superior Courts, may be removed by concurrent resolution of both houses of the Legislature, adopted by a two-thirds vote of each house. All other judicial officers, except Justices of the Peace, may be removed by the Senate on the recommendation of the Governor; but no removal shall be made by virtue of this section unless the cause thereof be entered on the Journal, nor unless the party complained of has been served with a copy of the complaint against him, and shall have had an opportunity of being heard in his defense. • On the question of removal, the ayes and noes shall be entered on the Journal.

Justices of the Peace.

SEC. 16. The Legislature shall determine the number of Justices of the Peace to be elected in townships, incorporated cities, and towns, or cities and counties, and shall fix by law the powers, duties, and responsibilities of Justices of the Peace: *provided*, such powers shall not in any case trench upon the jurisdiction of the several Courts of record, except that said Justices shall have concurrent jurisdiction with the Superior Courts in cases of forcible entry and detainer, where the rental value does not exceed twenty-five dollars per month, and where the whole amount of damages claimed does not exceed two hundred dollars, and in cases to enforce and foreclose liens on personal property, when neither the amount of the liens nor the value of the property amounts to three hundred dollars.

Courts of record.

SEC. 17. The Supreme Court, the Appellate Courts, the Superior Courts, and such other Courts as the Legislature shall prescribe, shall be Courts of record.

Jurisdiction of Inferior Courts.

SEC. 18. The Legislature shall fix by law the jurisdiction of any inferior Courts which may be established in pursuance of section one of this article, and shall fix by law the powers, duties, and responsibilities of the Judges thereof.

Clerk of Supreme Court. County Clerks. Court Commissioners.

SEC. 19. The Legislature shall provide for the election of a Clerk of the Supreme Court, and of each of the Appellate Courts, respectively, and shall fix by law their duties and compensation, which compensation shall not be increased or diminished during the term for which they shall have been elected, respectively. The County Clerks shall be ex officio Clerks of the Courts of record in and for their respective counties, or cities and counties. The Legislature may also provide for the appointment, by the several Superior Courts, of one or more Commissioners in their respective counties, or cities and counties, with authority to perform chamber business of the Judges of the Superior Courts, to take depositions, and to perform such other business connected with the administration of justice as may be prescribed by law.

Fees and perquisites.

SEC. 20. No judicial officer, except Justice of the Peace and Court Commissioners, shall receive to his own use any fees or perquisites of office.

Publications of opinions.

SEC. 21. The Legislature shall provide for the speedy publication of such opinions of the Supreme Court and of the Appellate Courts as it may deem expedient, and all opinions shall be free for publication by any person.

Salaries.

SEC. 22. The Justices of the Supreme Court and of the Appellate Courts and Judges of the Superior Courts shall severally, at stated times during their continuance in office, receive for their service a compensation, which shall not be increased or diminished after their election, nor during the term for which they shall have been elected. The salaries of the Justices of the Supreme Court and of the Appellate Courts shall be paid by the State. One half of the salary of each Superior Court Judge shall be paid by the State; the other half thereof shall be paid by the county for which he is elected. Until otherwise changed by the Legislature, the Justices of the Supreme Court shall each receive an annual salary of six thousand dollars; the Justices of the Appellate Courts shall each receive an annual salary of five thousand dollars; and the Judges of the Superior Courts shall each receive an annual salary as now established, all of which shall be payable monthly.

Disability of Justices and Superior Court Judges.

SEC. 23. The Justices of the Supreme Court, of the Appellate Courts, and Judges of the Superior Courts shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

Charges to juries.

SEC. 24. Judges shall not charge juries with respect to matters of fact, but may state the testimony, and declare the law.

Style of process.

SEC. 25. The style of all process shall be, "The People of the State of California," and all prosecutions shall be conducted in their name, and by their authority.

Reporter of Decisions.

SEC. 26. The Justices of the Supreme Court shall appoint a Reporter of the Decisions of the Supreme Court, who shall hold his office and be removable at their pleasure. He shall receive an annual salary not to exceed twenty-five hundred dollars, payable monthly. The Justices of the Appellate Courts shall personally prepare the opinions of those Courts, respectively, for publication.

Judges not to practice law.

SEC. 27. No Judge of a Court of record shall practice law in any Court of this State during his continuance in office.

Eligibility to judicial office.

SEC. 28. No one shall be eligible to the office of Justice of the Supreme Court, or of the Appellate Courts, or to the office of Judge of a Superior Court, unless he shall have been admitted to practice before the Supreme Court of the State.

Judge's affidavits.

SEC. 29. No Judge of a Superior Court, nor of the Appellate Courts, or the Supreme Court, shall be allowed to draw or receive any monthly salary, unless he shall take and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his Court remains undecided that has been submitted for decision for the period of ninety days.

Senate Constitutional Amendment No. 15 read.

AMENDMENTS.

Senator Ford moved to amend by so changing the words immediately following the title that they shall read:

"Resolved by the Senate, the Assembly concurring."

Adopted.

Senator Ford moved to amend as follows:

By striking out of section two, lines one and two, the words "until the expiration of the official term of the two Associated Justices of the present Supreme Court having the shortest term to serve."

Also, strike out of section two, lines three and four, the words "and thereafter it shall consist of a Chief Justice and four Associate Justices."

Adopted.

MOTION.

At eleven o'clock and fifty-five minutes A. M., on motion of Senator Ford, the hour of recess was extended until the matter under discussion was disposed of.

AMENDMENT.

Senator Ford moved to amend as follows:

By striking out of section seven, line five, the words "by indictment or information," and inserting in said line five of section seven, after the words "Superior Court," the words "excepting misdemeanors."

AYES AND NOES.

Upon the adoption of this amendment, the ayes and noes were demanded by Senators Smith, Aram, and Hart.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Androus, Bert, Biggy, Denison, Earl, Ford, Gesford, Henderson, Mathews, Mitchell, Simpson, and Whitehurst—12.

NOES—Senators Aram, Beard, Burke, Dunn, Fay, Franck, Hart, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Toner, and Withington—21.

MOTION.

Senator Burke moved that Senate Constitutional Amendment No. 15 be referred to Committee on Judiciary.

Senator Seawell suggested that the motion also incorporate the proposed amendments of the several Senators.

Senator Burke made the same a part of his motion.

The motion to refer Senate Constitutional Amendment No. 15, and the proposed amendments, was thereupon carried, and reference ordered.

At twelve o'clock and five minutes P. M. the hour of recess was extended five minutes, on motion of Senator Orr.

APPROVAL OF JOURNAL.

The Journals of Friday, February 8, 1895, and of Saturday, February 9, 1895, were approved.

RECESS.

At twelve o'clock and ten minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gileaves, Hart, Henderson, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

SUB-COMMITTEE ON RETRENCHMENT AND PUBLIC EXPENDITURES.

Senator Shippee, from the Sub-Committee on Retrenchment and Public Expenditures, presented the following report, and same was ordered printed in the Journal:

SACRAMENTO, February 11, 1895.

In behalf of the joint committee appointed from the Senate and Assembly to inspect the management and the financial affairs of the Preston School of Industry, at Ione, I beg to report as follows:

The members of your committee visited Ione as directed, and spent two days in inspecting the buildings, the ditches, reservoir, and water system, the contracts, and the management of the school.

We made diligent inquiry into the extent, the capacity, and efficiency of the water system, and find that the ditches, the water pipe, and the reservoir are all substantially constructed and of sufficient capacity to furnish all of the power required for lighting and mechanical purposes, and all the water required for domestic use and for irrigation, so far as your committee could ascertain.

The buildings are well constructed, of fine architectural appearance, and are well adapted to the purposes for which they were designed.

The furniture, while not of the cheapest material, is plain and substantial, and has evidently been selected for its durability and utility.

The premises throughout present a neat and tidy appearance, and give evidence of a systematic and careful oversight on the part of the Superintendent and his subordinate officers.

The school is conducted on what is known as the "open" plan, without bars to the windows or walls or fences, other than the ordinary farm fence for inclosure; and yet

the system of discipline and management is such that although the boys have the freedom of the grounds, yet the attempts at escape are comparatively few.

We visited the boys in their assembly-room, and found them dressed neatly in gray uniforms, cheerful, and seemingly contented and appreciative of the attentions shown them.

We found the Mechanical Trades School to be worthy of special mention, containing a model laundry, and departments for the several mechanical trades to be taught.

The administration building, however, while well equipped and well designed, has not sufficient capacity for the proper care and disposition of the inmates.

The dormitories are already nearly filled. The hospital, including the ward for contagious diseases, is in the main building.

For lack of other facilities, the large bath-room in the basement is now necessarily used as the Commissary's store-room.

The kitchen, bakery, and dining-rooms are not of sufficient capacity for the future accommodation of the inmates.

We therefore recommend the appropriations set forth in Senate Bills Nos. 193 and 194, as amended, which appropriate moneys for the construction of the additional buildings as set forth in the foregoing statement.

We also recommend the introduction of a bill appropriating the sum of two thousand five hundred dollars for the purchase of an additional tract of seventy acres of land known as the Randall Ranch tract, being a triangular piece of land lying contiguous to the buildings and premises of the school, and between said premises and the county road leading from Ione to Sacramento.

In regard to the compensation and number of the subordinate officers and employes, we find that the rates of compensation compare favorably with those of any other State institution, that there are no supernumeraries, and that if any criticism is to be made, it is for overwork rather than idleness or lack of employment.

We investigated the manner of letting contracts, and of purchasing supplies, and find that all contracts were duly advertised for and awarded to the lowest bidder, in accordance with law, and that any past inference of extravagance or misappropriation of funds was unwarranted and without foundation in fact.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: The Sub-Committee on Retrenchment and Public Expenditures, appointed to investigate and report upon the condition and management of the Preston School of Industry, at Ione, having visited said institution, and reported back the result of their investigations to the Senate, now present their account for mileage, as follows:

Senator Shippee, 118 miles.....	\$11 80
Lizzie Neubauer, 118 miles.....	11 80
Total	\$23 60

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Senator Shippee, Chairman of said sub-committee, for the sum of twenty-three dollars and sixty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

SHIPPEE, Senate Sub-Committee.

The latter part of the report was referred to the Committee on Attachés, Contingent Expenses, and Mileage.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties in the State of California, to ex-Union soldiers of the late war.

Also: Senate Bill No. 272—An Act to amend section eight of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the compensation of the official stenographers of said Police Court.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 109—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ANNOUNCEMENT.

The President pro tem. announced that under Rule 7, which reads:

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes P. M. unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time, or by adjournment of the Senate while it is under consideration, and this order shall take precedence of all others.

The Senate would proceed to consider bills on the General File.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Passed on file.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Passed on file.

Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Passed on file.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Passed on file.

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Passed on file.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Passed on file.

Senate Bill No. 183—An Act to amend section one thousand seven

hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Passed on file.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Read third time.

The question being on the passage of Senate Bill No. 57.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Beard (by request): Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities, by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in, and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Referred to Committee on City, City and County, and Town Governments.

By Senator Simpson (by request): Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

By Senator Shippee: Senate Bill No. 717—An Act to make an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Ione.

Referred to Committee on Finance.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Passed on file.

Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The question being on the passage of Senate Bill No. 24.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Passed on file.

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Read third time.

The question being on the passage of Senate Bill No. 257.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Fay, Flint, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mathews, McAllister, McGowan, Mitchell, Shippee, Simpson, Smith, Toner, and Whitehurst—25.

NOES—None.

Title read and approved.

At two o'clock and thirty minutes p. m. Senator Mathews was called to the chair by the President pro tem.

Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five, of the Civil Code of the State of California, relating to the authentication of marriages.

Read third time.

The question being on the passage of Senate Bill No. 91.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Passed on file temporarily, on motion of Senator Ford.

Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledgor.

Read third time.

The question being on the passage of Senate Bill No. 40.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Ford, Gleaves, Hart, Henderson, Hoyt, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, and Sloyd tools, for the use of the State Normal School at Los Angeles.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend its reference to the Committee on Finance.

ANDROUS, Chairman.

Senate Bills Nos. 105, 104, 669, and 103 re-referred to Committee on Finance.

At three o'clock and forty-three minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

GENERAL FILE—(RESUMED)—THIRD READING OF BILL.

Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read third time.

The question being on the passage of Senate Bill No. 35.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 118—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 294—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Read third time.

On motion of Senator McGowan, the further consideration of Senate Bill No. 294 was postponed, and the bill passed on file, but to retain its place.

Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Read third time.

The question being on the passage of Senate Bill No. 250.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Hart moved a call of the Senate.

So ordered.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Senator Hart moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senator Hart thereupon moved that the Secretary call the names of Senators present who had not voted, and record their votes in the roll call.

So ordered.

The President pro tem. then announced the passage of Senate Bill No. 250 by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—Senator Martin—1.

Title read and approved.

At three o'clock and ten minutes p. m. Senator Orr was called to the chair.

Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Read third time.

The question being on the passage of Senate Bill No. 313.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, Mathews,

McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.
NOES—None.

Title read and approved.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Read third time.

The question being on the passage of Senate Bill No. 8.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Burke, Denison, Dunn, Fay, Ford, Franck, Gesford, Henderson, Hoyt, Linder, Mathews, McAllister, Mitchell, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—25.
NOES—None.

Title read and approved.

INTRODUCTION OF SENATE JOINT RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

SENATE JOINT RESOLUTION No. 12.

WHEREAS, Protection of American industries against the competition of the cheap labor countries of the world is the controlling and public policy of this nation; and whereas, the present method of protection by a tariff on imports can only protect the home market of manufactures against imports, but cannot protect the staples of agriculture against foreign competition, because these are produced in surplus quantities for export; and whereas, to protect one industry and to leave the other unprotected, is to compel the unprotected industry to pay for the protection of the protected industry, which is an injustice; therefore, we respectfully memorialize the Congress of the United States to remove this injustice by providing by law an equal measure of protection to the staples of agriculture now granted to manufactures; and that this be done by applying a portion of the revenue now collected as protective tariff in the payment of an export bounty on the staples of agriculture.

WHEREAS, On the tenth day of December, 1894, the Hon. W. H. Hatch submitted the following resolution in the House of Representatives, and which was referred to the Committee on Agriculture of the House of Representatives:

"WHEREAS, Current market prices of the principal agricultural staples have declined to about half their former rates, and are sold in many instances at or below the cost of production; and whereas, such a condition must tend to the elimination of the independent land-owning farmer and his replacement by a dependent peasant tenantry, which, unless prevented, will not only prove detrimental to agriculture and the kindred industries, but also to the perpetuity of American institutions; therefore,

Resolved, That the Committee on Agriculture of the House of Representatives be and are hereby directed to inquire into the causes of the depression of American agricultural staples and the relative condition of agriculture to the manufacturing industries, and report the same to the House, with such suggestions as they may deem proper regarding the differences or inequalities, if any exist, so far as they are caused by legislation, or as legislation can remedy them."

A hearing was had on the above resolution on December 15th and 17th, and a limited number of copies of the proceedings on the resolution was ordered printed for free distribution; and whereas, these copies have all been distributed, and many more are in demand in our State for the information of the people; therefore,

Resolved, That we request our Representatives in Congress to present a resolution during the present session, authorizing the publication and free distribution of twenty-five thousand copies of said "hearing" for the State of California.

Resolved, That the Secretary of the Senate is hereby instructed to transmit a copy of this resolution to each of our Representatives in Congress without any delay.

Resolved, That a copy of these resolutions be transmitted to Congress.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 320.—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section sixty of said Civil Code.

Read third time.

The question being on the passage of Senate Bill No. 320.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Withington moved a call of the Senate.

So ordered.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington.

Senator Ford moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The acting President pro tem. thereupon ordered a new roll call upon the passage of Senate Bill No. 320.

The roll was called, and the bill refused passage by the following vote:

AYES—Senator Withington—1.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—30.

RESOLUTION—(OUT OF ORDER).

By Senator Androus:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to have prepared a bulletin board, six feet broad and eight feet high, upon which the names of the several committees, the time and place of having their meetings, and the names of the Chairmen, be publicly posted for reference.

MOTION.

Senator Bert moved the immediate consideration of the resolution, without reference to committee.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

The question then recurring on the adoption of the resolution, the same was adopted.

RESOLUTION—(OUT OF ORDER).

By Senators Beard and Gleaves:

Resolved, That Miss Anna Scott be and she is hereby appointed assistant stenographer to the Judiciary Committee of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

MOTION.

Senator Beard moved to suspend the rules and immediately consider the resolution, without reference to committee.

The roll was called, and the motion lost by the following vote:

AYES—Senators Arms, Beard, Bert, Ford, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Simpson, Toner, and Whitehurst—17.

NOES—Senators Androus, Burke, Dunn, Fay, Franck, Orr, Pedlar, Seawell, Shine, Shippee, Smith, Voorheis, and Withington—13.

The resolution was thereupon referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Passed on file, at the request of the author.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Passed on file, in the absence of the author.

EXPLANATION.

Senator Seawell was granted unanimous consent to have the following explanation recorded in the Journal:

SACRAMENTO, February 12, 1895.

Inasmuch as I was not present this morning when Assembly Constitutional Amendment No. 33 (Committee Substitute for Assembly Constitutional Amendments Nos. 1, 2, and 16) was passed, I desire to have the fact appear in the Journal that were I present at such time I should have voted against the submission of said amendment to the people and to the proposal thereof.

J. H. SEAWELL.

At three o'clock and thirty-five minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Withington: Senate Bill No. 718—An Act making an appropriation for the construction of a sea wall, thoroughfare, and piers, in the harbor of San Diego.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

By Senator Orr: Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered three thousand six hundred and forty, relating to the assessment of franchises.

Referred to Committee on Corporations.

ADJOURNMENT.

At three o'clock and forty minutes p. m., on motion of Senator Hart, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 13, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Dunn.

LEAVE OF ABSENCE.

Senator Androus was granted a leave of absence for the day, on motion of Senator Pedlar.

PETITIONS.

Senator Holloway presented the following petitions, and same were ordered printed in the Journal:

THE PARDONING POWER.

To the Senate and Assembly of California:

WHEREAS, Petitions numerous signed by sympathetic women and men, who have not the courage to refuse their signatures, together with various other influences, are brought to bear on our Governors for pardons, and it is more than likely of such persons signing petitions for pardons, that not more than one in a hundred, if even one in a thousand, have heard the evidence or know the facts in the case; and whereas, the jurors who have convicted, and the Judge who has sentenced said criminals, having heard all the evidence, the argument, and the law in the case—always giving the prisoner the benefit of any doubt—certainly should know much better what the criminal's just dues are than could any petitioners who do not know the facts in the case; and whereas, our Governors at the beginning of their terms grant but few pardons, but, as time rolls on begin to increase them; and as it seems that there is some pressure brought to bear upon them which they cannot withstand, and that toward the last of their terms they grant them by the wholesale. We are opposed to any system of credits in our prisons, believing that the time for which a person is sentenced should be the time for him to serve, and that good behavior and obedience to the prison rules should be required, but that disobedience should add to the term of sentence, according to the degree of bad conduct, as judged by the Prison Commissioners.

Also, your petitioners believe that the pardoning power should be invested in no one man; that our Senate, consisting of forty members, is not too large a body for a pardoning power, and that it should require at least a two-thirds vote of that whole body, or of any body or commission that may be invested with the pardoning power, to obtain a pardon or reprieve.

Your petitioners would respectfully ask your honorable bodies to pass a law to establish some such pardoning power.

(Signed:) N. J. Saviers, Thos. P. Brown, W. H. Case, Chas. H. Cooley, J. J. Barnes, L. J. Casey, F. K. Merritt, F. W. Brush, Geo. H. Black, O. C. Williams, Lewis

Holloway, P. H. Ludwig, N. Rowe, Thos. Frain, J. G. Heald, N. J. Hotchkiss, L. A. Harding, W. H. Young, E. L. Rackliff, G. B. Baer, A. S. Marshall, James Greenwell, H. F. Domine, August F. Domine, R. S. Markell, M.D., J. S. Conner, L. L. Sholes, Michael Mernhan, T. B. Wilson, Jos. Tyler, Scott D. Fowler, E. A. Fannan, C. P. Stevens, D. M. Wambold, W. Appleton, Huey Hubbard, T. J. Cottle, Fred, S. Clark, G. F. Pierce, W. D. Sink, N. S. Blackman, E. G. Furber, F. Yordi, E. B. Thompson, W. B. Eastlick, H. P. Smith, P. Smith, P. Anken, I. W. Porterfield, A. Kleiser, S. T. Greenwell, Nathaniel Landie, Logan McCray, Bert Sink, Daniel Sink, S. Pennhower, G. Hemriken, I. S. Lewis, J. B. Cooley, Peter McKinney, H. C. McKeon, A. J. Barber, R. O. Whited, G. E. Lile, C. E. Rosebrough, E. W. Davis.

Also the following:

TAXES AND DELINQUENCIES.

To the Senate and Assembly of California:

Your petitioners would represent that the present system of collecting taxes is unreasonably hard on the taxpayers:

First—The first installment, under our present law, falling delinquent in November, is not used at all until January; and the second installment, falling delinquent in April, is not used until July, both installments thereby robbing the taxpayers of so much interest and giving the benefit of the same to the Treasurer or to some bank.

We would therefore ask that the law be so amended that the first payment be delinquent on the last Tuesday of December, and that the second installment be delinquent on the last Tuesday of June; also that on delinquencies of the first installment only five per cent be added, if the same be paid by the first of April, and ten per cent if not then paid.

Second—Your petitioners believe that the office of County Treasurer is of no use in Sonoma County, as our money is deposited in some bank by the Treasurer; therefore, we believe that the office should be abolished, and that the Board of Supervisors should be empowered to deposit the money with the bank that would give good security and pay the best interest, at the same time filling all the duties of our present Treasurer.

(Signed:) N. J. Saviers, Thos. P. Brown, W. H. Case, Chas. H. Cooley, C. Hechl, J. J. Barnes, J. J. Casey, F. K. Merritt, W. J. Hotchkiss, John H. Turner, F. W. Brush, J. G. Heald, L. A. Hardin, Geo. H. Black, G. B. Baer, A. S. Marshall, James Greenwell, O. C. Williams, H. F. Domine, August F. Domine, Louis Holloway, P. H. Ludwig, R. S. Markell, M.D., N. Rowe, J. S. Connor, Thos. Frain, John Reed, Michael Memhan, L. L. Sholes, Joseph Tyler, E. A. Fauman, Scott D. Fowler, C. P. Stevens, D. M. Wambold, W. Appleton, Huey Hubbard, T. J. Cottle, Fred, S. Clark, G. F. Pierce, Logan Mcray, Bert Sink, Daniel Sink, I. S. Lewis, J. B. Cooley, P. McKinney, W. D. Sink, H. C. McKeon, Moses Austin, R. O. Whited, F. L. Blackman, E. B. Thompson, T. B. Wilson, S. T. Greenwell, A. J. Barber, W. B. Eastlick, Henry Wright, James Hill, A. Crawford, E. G. Furber, F. F. Yordi, P. Anker, H. P. Smith, P. Smith, I. W. Porterfield, G. E. Lile, C. E. Rosebrough, W. F. Ink.

Also the following:

To the Legislature of the State of California:

We, the undersigned, residents, voters, and taxpayers of Mendocino County, California, would most respectfully represent that the present road law is inefficient; that under its operations large sums of money are expended without corresponding benefits to the taxpayers.

Wherefore, we request that you enact a law that shall require the Board of County Supervisors to appoint suitable persons, taxpayers, residing within the limits of each road district, whose duties shall be the same as those now directed to be performed by the several County Supervisors, as Road Commissioners.

(Signed:) A. S. Marshall, W. J. Hardin, James McCausland, R. L. Elkins, D. Elkins, W. T. Rock, J. A. Ward, W. J. Ward, W. H. Cooper, L. A. Hardin, John Thomas, F. G. Bartlett, C. B. Bloyne, Ed. Rector, C. L. McGinssey, R. McDonald, M. J. Harrison, G. T. Cooper, Willis I. Dunham, D. L. Dunham, E. W. Collins, W. R. Lee, F. W. Hunt, C. A. Melville, Wm. McCausland, A. M. Ornbaum, John S. Ornbaum, B. R. Ogle, F. Fisher, Mrs. J. A. Rector, J. L. Rector, M. W. Fairbanks, L. Hoag, S. P. Wagner, J. R. Watson, T. J. McGinssey.

Senator Ford presented the following petition, and same was ordered printed in the Journal:

We, the undersigned, interested in mining in Bodie, Mono County, enter a vigorous protest against the abolition of the State Mining Bureau, or its transfer to the State University.

The Mining Bureau is the only State institution maintained in the interest of the miners of California, and is doing useful and satisfactory work. It should be continued as it is, and a liberal appropriation given, to enable it to still further help the mining

interests of California, which need fostering just as much as those of an agricultural nature.

(Signed:) Thomas H. Leggett, President and Manager Standard Consolidated Mining Co.; Frank J. Cooke; Francis L. Boodie, in charge of cyanide plant; R. C. Turner, assayer; Frank Quinville; M. L. Virden, foreman; C. F. Hector, teamster; W. E. Reading, merchant; James Borland, miner; S. B. Burkham, Postmaster, Bodie; R. A. Leale; Harry Brown, night foreman; G. W. Borrono, Chief Engineer Standard Consolidated Mining Co.; James Watson, miner; A. Falconer, miner; William J. Crawford, miner; D. M. Stewart, miner; R. R. Frouke, miner; F. M. Smith, engineer; J. D. McDonald, millman; Andrew Smith, miner; Francis Frey; E. M. McCollum, electrician; Hugh Gorman, mason; Joseph Beck, miner; J. D. McLeod, miner; L. J. Cochrane, miner; H. S. Keenan, miner; Manuel Clemente, miner; Petro Givvanetti, miner; Richard Noonan, miner; Martin Casey, miner; Thomas Downing, miner; J. W. Fitzpatrick, miner; G. Morandi, miner; R. W. Bowen, miner; J. B. Kendall, miner; T. J. McDonald, miner; J. S. Long, miner; A. D. Reading, miner; Jas. Glenn, miner; D. Black, miner; Rod. McInnis, miner; Wm. Gerrey, miner; Nat. Morgan, miner; Frank A. St. John, miner; A. K. Meyers, engineer; G. K. Fitzpatrick, miner; Louis Williams, miner, and John Fallow, miner.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code, relating to water rights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FORD, Chairman.

ON JOINT RULES OF THE SENATE AND ASSEMBLY.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Joint Committee on Rules and Regulations governing the Senate and Assembly, thirty-first session, as their report beg leave to recommend the adoption of the following as the joint rules of the Senate and Assembly, to wit:

JOINT RULES OF THE SENATE AND ASSEMBLY.

I.—COMMITTEE OF CONFERENCE.

In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committees shall meet at a convenient hour, to be agreed upon by the respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

II.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

When a message shall be sent from either House it shall be announced at the door by the Assistant Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III.—SECRETARY, CLERKS, ETC., TO CARRY MESSAGES.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

IV.—NOTICES TO BE ON PAPER UNDER PROPER SIGNATURE.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

V.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk, and Enrolling Committee of the Assembly or of the Senate, as the bill may have originated in one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

VI.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be reëxamined by the Enrolling Committee of the House in which they originated, who shall carefully compare the enrollment with the engrossed bill as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

VII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

VIII.—ENROLLING COMMITTEE TO PRESENT BILL TO GOVERNOR.

After a bill shall have thus been signed in each House, it shall be presented by the Enrolling Committee of the House in which it originated, to the Governor of the State for his approval. (It being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

IX.—ORDERS, RESOLUTIONS, AND VOTES TO BE APPROVED AS ARE BILLS.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as provided in the case of bills.

X.—JOINT ADDRESSES TO GOVERNOR.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

XI.—BILL OR RESOLUTION OF ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

When a bill or resolution, which shall have passed one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

XII.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

When a bill or resolution, which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session, without notice of five days, and leave of two thirds of that House in which it shall be renewed.

XIII.—EACH HOUSE TO TRANSMIT PAPERS.

Each House shall transmit to the other papers on which any bill or resolution shall be founded.

XIV.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

XV.—NO APPROPRIATION EXCEPT BY BILL.

No appropriation of money, for any purpose whatever, shall be made except by bill.

XVI.—EXCEPT BY EACH HOUSE, PRINTING TO BE DONE BY CONCURRENT RESOLUTION.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

XVII.—JOINT STANDING COMMITTEE OF THREE FROM EACH HOUSE.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

XVIII.—JOINT AND CONCURRENT RESOLUTIONS.

Joint resolutions are those which relate to a certain communication to the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

XIX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

XX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XXI.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

XXII.

Whenever any Senate or Assembly Bill is reported back by any committee, it shall be substituted on the file at the request of any Senator or member of the Assembly by the Secretary of the Senate or Clerk of the Assembly in the place of any similar Senate or Assembly Bill.

XXIII.

On and after February 14, 1895, the Senate and Assembly shall adopt and provide a special file, upon which shall be placed: in the Senate, only Assembly Bills that have passed the Assembly; and in the Assembly, only Senate Bills that have passed the Senate.

Such special file shall be taken up at two o'clock p. m. each day, and be considered one hour and a half after being so taken up.

DINKELSPIEL, Chairman.
LAUGENOUR.
DWYER.
KILSEY.
BULLA.
LYNCH.
EARL, Chairman.
SEAWELL.
FLINT.

On motion of Senator Earl, the joint rules of the Senate and Assembly were adopted.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 131—An Act to amend "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 524—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, relating to stock and stockholders of corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 546—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of an Act of the Legislature of the State of California, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to gas corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee to pass upon its constitutionality.

ORR, Chairman.

Senate Bill No. 546 re-referred to Committee on Judiciary.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open

and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

Also: Senate Bill No. 610—An Act entitled an Act to amend section sixteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 652—An Act entitled an Act to provide for the inheriting of community property by a married woman, upon the death of the husband, intestate—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 90—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors—have had the same under consideration, and respectfully report that in the opinion of your committee the bill is unconstitutional.

McGOWAN, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 463—An Act to appropriate money to pay the claim of Charlotte M. Holman—have had the same under consideration, and respectfully report the same back, and recommend that it be sent to the Finance Committee without recommendation.

Also: Senate Bill No. 127—An Act to pay the claim of W. P. Lamplin against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 568—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FRANCK, Chairman.

Senate Bills No. 16, 653, 463, 127, 72, and 568 re-referred to Committee on Finance.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth of February, adopted Assembly Joint Resolution No. 11—Relative to the control of the Maritime Quarantine Service at the Port of San Francisco.

S. J. DUCKWORTH, Chief Clerk.

Assembly Joint Resolution No. 11 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Earl: Senate Bill No. 720—An Act to amend section two hundred and fourteen of the Code of Civil Procedure, relating to the orders of Judges for drawing jurors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Referred to Committee on Judiciary.

By Senator Gesford: Senate Bill No. 722—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, relating to property taxes.

Referred to Committee on Judiciary.

By Senator Holloway (by request): Senate Bill No. 723—An Act providing for the relief of the County Treasurer of Sonoma County, and his sureties on his official bond, on account of money of which he was forcibly robbed.

Referred to Committee on Finance.

By Senator Shine: Senate Bill No. 724—An Act providing for the incorporation of banking corporations, defining the same, and providing for the government, regulation, and control of all such corporations organized under the laws of this State, or of any other State, Territory, or foreign country doing business within this State, and of all other corporations, companies, partnerships, firms, and individuals doing a banking business within this State.

Referred to Committee on Banks and Banking.

By Senator Orr: Senate Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 726—An Act to amend section sixteen of an Act entitled "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Hospitals.

Also: Senate Bill No. 727—An Act to define the location and provide for the offices of the Railroad Commission.

Referred to Committee on Retrenchment and Public Expenditures.

MOTION.

On motion of Senator Seymour, Senate Bill No. 713 was withdrawn from the Committee on Banks and Banking, and referred to Committee on Retrenchment and Public Expenditures.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read second time, and ordered on file for third reading.

FIRST READING OF BILLS.

The following bills were read the first time, and ordered on file for second reading:

Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

THIRD READING OF BILL.

Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Read third time.

MOTION.

Senator Seymour moved that the further consideration of Senate Bill No. 129 be made a special order for Thursday, February 21, 1895, immediately after reading the Journal.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 288—An Act to amend section three thousand five hundred and thirty-five of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School, San José.

During the second reading of the bill, the following amendments, suggested by Committee on Finance, were submitted:

AMENDMENT No. 1.

Amend by striking out of section two, line one, printed bill, the word "demands," and inserting the following: "just and equitable claims."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section three the word "immediately," and inserting the following: "January 1, 1896."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 11, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Concurrent Resolution No. 6—Concurrent resolution approving the charter of the City of Eureka, in the county of Humboldt, State of California, which was voted for and ratified by the qualified electors of said city, at a special election held therein for that purpose in the City of Eureka, on the twenty-sixth day of January, 1895.

Also: Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Respectfully report the same back as correctly enrolled.

SMITH, Chairman.

MOTION.

On motion of Senator Mathews, Senate Bill No. 481 was referred to Committee on Public Buildings other than Prison Buildings, but to retain its place on file.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

During the second reading of the bill, the following amendments, suggested by Committee on Finance, were submitted:

Amend by striking out of section two, line one, printed bill, the word "demands," and inserting the following: "just and equitable claims."

Adopted.

Also: Amend by striking out of section three the words "its passage," and inserting the following: "January 1, 1896."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

THIRD READING OF BILLS.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Senator Orr moved that the consideration of Senate Bill No. 194 be made a special order for Thursday, February 21, 1895, immediately after reading the Journal.

So ordered.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

Senator Orr moved that the consideration of Senate Bill No. 193 be made a special order for February 21, 1895, immediately after reading the Journal.

So ordered.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Read third time.

On motion of Senator Seawell, the further consideration of Senate Bill No. 124 was postponed, and the bill passed on file, but to retain its place.

Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the floor of the State Capitol.

Read third time.

The question being on the passage of Senate Bill No. 417.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Mitchell, Seawell, Seymour, Smith, Toner, Voorheis, and Whitehurst—28.

NOES—Senators Pedlar, Simpson, and Withington—3.

Title read and approved.

Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Read third time.

The question being on the passage of Senate Bill No. 325.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Dunn, Fay, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 44—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

During the second reading of the bill, the following substitute, submitted by the Committee on Finance, was read:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 44.

An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred and forty-two thousand and two hundred and thirty-five dollars and fifty cents is hereby appropriated out of any money in the General Fund of the State Treasury not otherwise appropriated, to pay the claims of the National Guard of California, which shall have received the approval of the Board of Military Auditors, for services rendered under the orders of the Governor for the years eighteen hundred and ninety-three and eighteen hundred and ninety-four.

SEC. 2. The Controller of State is hereby authorized and directed to draw his warrants upon the State Treasurer, and the State Treasurer is hereby authorized to pay the same, for the amounts found to be due as above, in favor of the President of the Board of Military Auditors; which Board shall proceed to pay the said claims to the persons authorized to receive the same. The said Board of Military Auditors shall take duplicate receipts for all such payments, and file one copy with the Controller of State and one copy in the office of the Adjutant-General.

SEC. 3. This Act shall take effect immediately.

On motion of Senator Biggy, Committee Substitute for Senate Bill No. 44 was adopted.

Bill read second time.

RESOLUTION.

By Senator Gesford:

Resolved, That Senate Bill No. 44 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

The roll was called, and Senate Bill No. 44 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

Bill considered engrossed and printed as amended.

Read third time, and passed by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Title read and approved.

SENATE CONSTITUTIONAL AMENDMENTS.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed on file.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to article nine of the Constitution, section seven, relative to the free distribution of State text-books of the common schools of the State of California.

Passed on file.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. PRESIDENT: The Sub-Committee on Retrenchment and Public Expenditures appointed to investigate and report upon the condition and management of the State Normal School at Los Angeles, the State School at Whittier, the Insane Asylum at Highlands, and the proposed Normal School sites and properties at San Diego, having

visited said institutions, and reported back the result of their investigations to the Senate, now present their account for mileage, as follows:

Senator Shippee, 1,190 miles.....	\$119 00
Senator Burke, 1,190 miles.....	119 00
Total	\$238 00

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Senator Shippee, Chairman of said sub-committee, for the sum of two hundred and thirty-eight dollars, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

SPECIAL FILE—(RESUMED)—FIRST READING OF BILL.

Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Read first time, and ordered on second-reading special file.

At eleven o'clock and twenty-five minutes A. M. Senator Orr was called to the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 201—An Act to provide against the adulteration of food and drugs—return the same without recommendation.

Also: Senate Bill No. 130—An Act to amend sections ten and eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 308—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

Senate Bill No. 130 re-referred to Committee on Finance.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 267—An Act to repeal an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DENISON, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Simpson: Senate Bill No. 728—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Referred to Committee on Judiciary.

By Senator Earl (by request): Senate Bill No. 729—An Act requiring county officers to file a monthly expense account.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 730—An Act to prevent the display of foreign flags on public buildings in this State.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 731—An Act to secure independence, and promote purity in nominations by political conventions.

Referred to Committee on Elections.

Also: Senate Bill No. 732—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Referred to Committee on Judiciary.

TRANSPPOSITION.

On motion of Senator Burke, Senate Bills No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter—and Senate Bill No. 154—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage—were transposed in place on file, both bills being on the second-reading file.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Passed on file.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Passed on file.

Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Passed on file.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Passed on file.

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Passed on file.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Passed on file.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Passed on file.

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Passed on file.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Passed on file.

Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Passed on file.

Senate Bill No. 294—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Passed on file.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Read third time.

SPECIAL COMMITTEE OF ONE.

On motion, Senate Bill No. 239 was referred to Senator Burke, as a special committee of one, with instructions to amend as follows:

By striking out of section three, line two, printed bill, the words "or as a gratuity," and inserting after the word "him," on line three of said section, the words "except gratuitously."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 239, with instructions to amend, respectfully report the same back, amended as per instructions.

BURKE, Committee.

The roll was called, and the report of the special committee of one refused adoption by the following vote:

AYES—Senators Androus, Beard, Burke, Fay, Martin, Mathews, McAllister, Pedlar, Seawell, Simpson, Smith, Whitehurst, and Withington—13.

NOES—Senators Aram, Bert, Denison, Dunn, Earl, Franck, Hart, Henderson, Holloway, Hoyt, Linder, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Toner, and Voorheis—19.

At eleven o'clock and fifty minutes A. M. President pro tem. Thomas Flint, Jr., resumed the chair.

At eleven o'clock and fifty-five minutes A. M. Senator Earl moved that the hour of recess be extended until the matter under discussion be disposed of.

So ordered.

The question then being on the passage of Senate Bill No. 239.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, McAllister, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Toner, and Voorheis—24.

NOES—Senators Beard, Biggy, Franck, Gesford, Langford, Mathews, Pedlar, Simpson, Smith, Whitehurst, and Withington—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 239 was on this day passed by the Senate.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder,

Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

The President pro tem. announced that he had received the following telegram, which was read:

PORT COSTA, CAL., February 13, 1895.

To Hon. T. B. FLINT, *President pro tem. Senate*:

One hundred and twenty-five citizens of San Francisco, now en route, desire to meet Senate in session at four o'clock if possible.

I. J. TRUMAN,
President Civic Federation.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Ford was granted leave, by the unanimous consent of the Senate, to withdraw Senate Bill No. 33—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872—and to substitute therefor on the file Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California—both bills being on the second-reading file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 4—An Act to provide for the payment for the advertising of the Constitutional Amendments, and to make an appropriation therefor.

Also: Senate Bill No. 190—An Act to provide for the payment for the advertising of the Constitutional Amendments, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass:

Also:

MR. PRESIDENT: Your Finance Committee have had under consideration the newspaper charges for advertising Constitutional Amendments, and respectfully submit a substitute for the pending bills. The amount asked for in the original bill is one hundred and nine thousand seven hundred and fifty-three dollars and twenty cents. The substitute reported by the committee calls for an appropriation of forty-eight thousand six hundred and sixty-two dollars, to pay for the publication of the amendments in the English language.

The bills of the "California Demokrat," "Le Franco Californien," "Le Voce del Popolo" and "L'Italia," amounting to eighteen thousand nine hundred and forty-two dollars and sixty-seven cents, could not be allowed, as the publication was made in other than the English language. In this regard, section twenty-four, article four of the Constitution of California declares: "And all laws of the state of California, and all official writings, and the executive, legislative, and judicial proceedings shall be conducted, preserved, and published in no other than the English language."

Many of the bills rendered were found, on investigation, to be excessive, and the committee, therefore, cut down the charges, respectively, to figures approximating commercial rates for advertising. The reduction was applied to all classes of journals on the list, and the amounts recommended to be paid are believed to be fair and equitable.

Also: Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year—have had the same under consid-

eration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Also: Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 550—An Act to provide for the payment of the claim of the Geo. H. Tay Company.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

SENATE JOINT RESOLUTION.

By Senator Voorheis: Senate Joint Resolution No. 13—Relative to mines and mining claims situated within the boundaries of the Yosemite National Park.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

RESOLUTION—(OUT OF ORDER).

By Senator Langford:

Resolved, That Substitute for Senate Bill No. 268, number one hundred and ninety-five on file, be read second time.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Beard, Biggy, Burke, Denison, Earl, Fay, Flint, Franck, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Seawell, Voorheis, Whitehurst, and Withington—21.

NOES—Senators Ford, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, and Simpson—8.

SECOND READING OF BILL.

Senate Bill No. 268—An Act to repeal sections one, two, three, four, five, six, seven, and ten of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also, to repeal an Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February 26, 1885; and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners; to continue in force sections eight and nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, and enlarging the privileges of the Department of Agriculture of the University of California.

During the second reading of the bill the following substitute, submitted by Committee on Agriculture, Horticulture, Viniculture, and Viticulture, was read, as follows:

SUBSTITUTE FOR SENATE BILL No. 268.

An Act to amend sections three, four, six, and seven of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act entitled "An Act to define and enlarge the duties and powers of

the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also, to repeal an Act entitled "An Act to enlarge the duties of State Viticultural Commissioners," approved February 28, 1885.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April fifteenth, eighteen hundred and eighty, is hereby amended to read as follows:

SECTION 3. The Board shall elect from among their own number, a President, a Vice-President, a Treasurer, and a Secretary. A salary may be paid the Secretary, not to exceed the sum of one hundred dollars a month. The Board shall fix and determine the amount of bonds to be given by the Treasurer and Secretary for the faithful performance of their duties.

SEC. 2. Section four of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April fifteenth, eighteen hundred and eighty, is hereby amended to read as follows:

SECTION 4. It shall be the duty of the Board to meet semi-annually, and to adopt such measures as may best promote the viticultural interests of the State; to declare rules and regulations in the nature of quarantine, to govern the manner of, restrain or prohibit the importation into the State, and the distribution and disposal within the State, of all vines, vine-cuttings, debris of vineyards, empty fruit boxes, or other material on or by which the contagion of vine diseases and germs of vine pests may be introduced into the State, or transported from place to place within the State; to enforce such rules and regulations by seizure for non-compliance with the same; to cause to be promptly destroyed by its properly authorized agent all vines or other articles the importation or transportation of which is absolutely prohibited by such rules or regulations, and further, it shall be the duty of the Board to procure the enforcement, by prosecution, of any and all laws now existing or hereafter enacted prohibiting the sophistication and adulteration of wine and the manufacture and sale of such sophisticated or adulterated wines. Willful violation of the quarantine regulations of the Board shall be a misdemeanor, and punishable by a fine of not less than twenty-five nor more than one hundred dollars.

The Board shall have the power to employ, as occasion may require, from time to time, such agents as it may deem necessary to perform its duties; and to pay from its appropriation for the expenses of analysis made by the State Analyst at its request. All salaries, expenses, and disbursements of any and all kinds shall be paid from the appropriation, from time to time, made by the Legislature for the State Board of Viticulture, and no deficiency shall ever be incurred by said Board.

SEC. 3. Section six of an Act entitled "An Act for the promotion of the viticultural industry of the State," approved April fifteenth, eighteen hundred and eighty, is hereby amended to read as follows:

SECTION 6. The office of the Board shall be in the city of San Francisco.

SEC. 4. Section seven of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April fifteenth, eighteen hundred and eighty, is hereby amended to read as follows:

SECTION 7. It shall be the duty of the Secretary to attend all regular meetings of the Board; to keep the records of the same, and to perform such other duties as may be required by the Board.

SEC. 5. An Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March fourth, eighteen hundred and eighty-one, is hereby repealed.

SEC. 6. An Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February twenty-sixth, eighteen hundred and eighty-five, is hereby repealed.

SEC. 7. This Act shall take effect immediately.

On motion of Senator Langford, Substitute for Senate Bill No. 268 was adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Mathews: Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and

ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Referred to Committee on Corporations.

Also: Senate Bill No. 734—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Referred to Committee on County Government and Township Organization.

By Senator Linder: Senate Bill No. 735—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections twenty-two and thirty-seven thereof, relating to the levying and collecting of assessments, tolls, and charges.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 736—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 737—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 738—An Act authorizing the State Board of Prison Directors to establish a school furniture factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter, for the years 1890, 1892, and 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Finance Committee.

FRANCK, Chairman.

Senate Bills Nos. 134 and 632 re-referred to Committee on Finance.

REQUEST.

Senator Voorheis asked unanimous consent to take up for consideration Assembly Joint Resolution No. 13—Relative to the free

coinage of silver, which same is a substitute for Senate Joint Resolution No. 2.

Granted.

MOTION.

Senator Voorheis moved that the consideration of Assembly Joint Resolution No. 13 be made a special order for to-morrow at three o'clock and thirty minutes p. m., and that the same be ordered printed forth-with.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: The Sub-Committee on Retrenchment and Public Expenditures, appointed to investigate and report upon the condition and management of the Preston School of Industry, at Lone, having visited said institution, and reported back the result of their investigations to the Senate, now present their account for mileage, as follows:

Senator Shippee, 118 miles	\$11 80
Lizzie Neubauer, 118 miles	11 80
Total	\$23 60

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Senator Shippee, Chairman of said sub-committee, for the sum of twenty-three dollars and sixty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer directed to pay the same.

Also:

Resolved, That Miss Anna Scott be and she is hereby appointed assistant stenographer to the Judiciary Committee of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

The question being on the adoption of the resolution appropriating the sum of twenty-three dollars and sixty cents.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Beard, Biggy, Burke, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Toner, Whitehurst, and Withington—28.

NOES—None.

The question next being on the adoption of the resolution appointing Miss Anna Scott assistant stenographer to the Judiciary Committee.

The roll was called, with the following result:

AYES—Senators Aram, Arms, Beard, Burke, Ford, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Shippee, Simpson, and Toner—20.

NOES—Senators Biggy, Dunn, Flint, Franck, Holloway, Orr, Seymour, Whitehurst, and Withington—9.

Whereupon the President pro tem. declared that the resolution was refused adoption.

At two o'clock and fifty-five minutes p. m. Senator Orr was called to the chair.

INTRODUCTION OF SENATE CONSTITUTIONAL AMENDMENT.

By Senator Ford: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section four of article six, relative to the "Judicial Department."

Referred to Committee on Constitutional Amendments.

SPECIAL ORDER—GENERAL FILE—THIRD READING OF BILLS.

On motion of Senator Withington, Senate Bill No. 201—An Act to provide against the adulteration of food and drugs—was taken up for consideration.

Senator Hart moved that the further consideration of Senate Bill No. 201 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following Senate Bills:

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Also: Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Also: Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Also: Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Also: Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Beg leave to report that the same have been correctly engrossed.

SMITH, Chairman.

At three o'clock and ten minutes p. m., President pro tem. Thomas Flint, Jr., resumed the chair.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-

two of the Political Code, relating to the division of swamp land districts.

Read third time.

The question being on the passage of Senate Bill No. 242.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Biggy, Burke, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

Senate Bill No. 164—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice, and certified copies of records as evidence.

Passed on file.

Substitute for Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Read third time.

The question being on the passage of Senate Bill No. 110.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Senate Bill No. 123—An Act to amend section six hundred and thirty-three and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Read third time.

On motion of Senator Burke, Senate Bill No. 123 was re-referred to Committee on Judiciary, but to retain its place on file.

LEAVE OF ABSENCE.

Senator Bert was granted a leave of absence for the afternoon.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That the Committee on Public Buildings other than Prison Buildings, two members from the Committee on Hospitals, and two members from the Committee on Finance, be granted a leave of absence from Friday afternoon next, for the purpose of visiting the Mendocino Asylum for the Insane.

Senator Gesford moved to amend the resolution so that the committee be requested to also visit the Napa Asylum for the Insane and the Veterans' Home.

Amendment accepted.

The resolution as amended was thereupon adopted.

GENERAL FILE—(RESUMED).

Senate Bill No. 216—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property: and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Simpson, Senate Bill No. 216 was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 9 was substituted therefor on the third-reading file, for the reason that it was identical with Senate Bill No. 216.

The history of Senate Bill No. 216 is as follows: Read first and second times, and reported correctly engrossed, and is now on third-reading file.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act

to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Assembly Bill No. 9 was then read, and the roll was ordered called upon its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—Senators McAllister and Orr—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator McGowan gave notice that to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 9 was on this day finally passed.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Read third time.

The question being on the passage of Senate Bill No. 467.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Orr, Pedlar, Seymour, Simpson, Voorheis, Whitehurst, and Withington—27.

NOES—Senator Smith—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Withington gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 467 was on this day passed.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Flint: Senate Bill No. 739—An Act to amend an Act entitled "An Act to re-incorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Referred to Committee on City, City and County, and Town Governments.

By Senator Pedlar (for Senator Androus): Senate Bill No. 740—An Act to amend section five of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices

in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Referred to Committee on Elections.

By Senator Burke: Senate Bill No. 741—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered as section three thousand four hundred and forty-three, relating to fraudulent instruments and transfers.

Referred to Committee on Judiciary.

By Senator Withington: Senate Bill No. 742—An Act to provide for the fixing of boundaries of lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

ADJOURNMENT.

At three o'clock and fifty-five minutes P. M., on motion of Senator Orr, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,)
Thursday, February 14, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

SPECIAL ORDER—IMMEDIATELY AFTER READING THE JOURNAL.

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

MOTIONS.

Senator Hart moved that the special order set for this hour, namely, consideration of Senate Bill No. 201, be postponed, and made a special order for Tuesday next, immediately after reading the Journal.

So ordered.

Senator Burke, in compliance with his notice, given yesterday, to

move a reconsideration of the vote whereby Senate Bill No. 239 was passed, moved that the vote be reconsidered.

Senator Orr moved that the further consideration of Senate Bill No. 239 be made a special order for Tuesday next, immediately after reading the Journal.

So ordered.

PETITION.

Senator Voorheis presented the following petition, and same was ordered printed in the Journal:

We, the undersigned, interested alike in the fostering and promotion of the mining interests of the State, our great source of wealth and prosperity, see with regret a proposition in the Legislature to limit the scope of usefulness of the Mining Bureau.

This institution is of great value to the miners, and is the only one fostered by the State representing their interests, and from which they are receiving great benefit through its publications, reports, and mineral exhibit, and by which the attention of capital is being called to investment in our mines. We therefore protest against its removal from its present location, and we recommend an appropriation sufficient to enable it to continue its great usefulness to the miners and people of the State at large.

(Signed,) E. J. de Sabla, Jr., Chas. E. Elliott, Secretary Chollar Mining Company, Potosi Mining Company, and others; A. K. P. Harmon, Bank of Sisson, Crocker & Co., C. P. Baker for Cashier, May Flower Gravel Mining Company, V. Chappellet, President; Lloyd Tevis; Hearst Estate, by Edward H. Clark; Alaska Treadwell Gold Mining Company, A. F. Corbus, Secretary; A. A. Watkins, President San Francisco Board of Trade; William Alvord, The Bank of California; Wm. Johns, Manager Sierra Buttes Gold Mining Company (Limited); London, Paris, and American Bank (Limited); A. Raymond, James Cross, H. C. Ballard, Parke & Lacy Company, B. F. Lacy, President; Champion Mining Company, J. E. Holling, Secretary; Wells, Fargo & Co., H. Wadsworth, Treasurer; E. W. Hopkins; Quilet Gold Mining Company, W. A. Nevill, Manager; Wm. S. Chapman, R. E. Harper, H. Kustet, Railroad Avenue, Alameda; F. S. Chadbourne, Howard C. Holmes, W. H. Dimond, Williams, Dimond & Co.; Abner Noble Company, Robert McF. Doyle, Vice-President; Anglo-Californian Bank (Limited), P. N. Lilienthal, Manager; The Nevada Bank of San Francisco, by J. W. Bigelow, Manager; San Francisco Novelty and Plating Works, Baker & Hamilton, Wakefield Baker, President; Chas. Goodall, Dan F. Cole, D. K. Thornton, C. B. Wheaton, Secretary Pacific Coast Oil Company.

MEMORIAL.

Senator Flint presented the following memorial, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution, appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed,) Mrs. D. K. Frasier, Leroy Frasier, D. K. Frasier, Emory Frasier, Mrs. David Jacks, David Jacks, M. R. Jacks, Katie McGrath, William Owen, M. J. Thomas, Mrs. G. C. Bowman, Mary E. McCord, J. W. Atkinson, Sarah A. Montgomery, William Kay, Joseph P. Miller, Mrs. M. Miller, Mrs. Nellie V. Sanchez, Joseph Montgomery.

Also a similar memorial from citizens of Salinas, signed by Geo. McCormick, G. A. Dougherty, T. S. Clark, J. L. Gill, W. H. Clark, F. G. Winkham, G. M. Davis, T. S. Mabel, Edwin Howard, K. E. McCandless, Geo. McIntyre, D. J. Thompson, J. S. Foster, T. F. Kershaw, D. L. Gill, A. Grant, Leroy Gilbert, C. L. Reynolds, Flind Harper, Hiram Corey, Geo. E. Lacey, L. C. Grant, J. Goodrich, John Ferguson, S. M. Henderson, D. Muller, G. B. Lemon, C. Hansen, C. Hoffman, T. Blackie, S. L. R. Goodrich, A. L. McCandless, J. G. Armstrong, W. V. McGarvey, M. Hughes, J. C. Simmons, E. K. Abbott, M. D., J. W. Rowling, D. R. Little, H. S. Ball, L. A. Payne, W. E. Holmes, R. Porter, I. D. Carr, J. A. Armstrong.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 285—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FLINT, Chairman.

Senate Bill No. 285 re-referred to Committee on Finance.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 743—An Act to amend section three thousand nine hundred and thirty-one, part four, title one, of the Political Code of the State of California, relating to the boundary of Alpine County.

Referred to Committee on Counties and County Boundaries.

By Senator Orr: Senate Bill No. 744—An Act to amend section two thousand two hundred and ninety-three and section two thousand three hundred and three of the Political Code of the State of California, relative to the general powers and duties of the Board of Trustees of the State Library, and for the appointment of a deputy, and fixing his salary.

Referred to Committee on State Library and Rules.

By Senator Arms: Senate Bill No. 745—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Referred to Committee on Judiciary.

Also: Senate Bill No. 746—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, in relation to the public pound, and the appointment of a Poundkeeper and Deputy Poundkeeper therefor.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seymour: Senate Bill No. 747—An Act to amend section three hundred and seventy-seven of the Code of Civil Procedure of the State of California, relating to actions for damages on account of the death of a person.

Referred to Committee on Judiciary.

Also: Senate Bill No. 748—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on Judiciary.

Also: Senate Bill No. 749—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail for consumption on the premises.

Referred to Committee on Judiciary.

By Senator Biggy (by request): Senate Bill No. 750—An Act to authorize the construction of public buildings for city, or city and county purposes.

Referred to San Francisco Delegation.

By Senator Langford: Senate Bill No. 751—Bill to confirm sales made by the State of swamp and overflowed salt marsh or tide lands, when the same have been reclaimed or improved without interfering with commerce or navigation.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Beard (by request): Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Referred to Committee on Education and Public Morals.

By Senator Fay: Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Referred to Committee on Judiciary.

By Senator Linder: Senate Bill No. 754—An Act to restrict gaming.

Referred to Committee on Judiciary.

RESOLUTION.

By Senator Earl:

Resolved, That Senate Bills Nos. 3, 281, 462, 289, 11, 519, 229, 20, 694, 29, 607, 34, 42, Senate Substitute for Senate Bills Nos. 45, 52, 54, and 77, Senate Bills Nos. 504, 570, 514, 580, 349, Senate Joint Resolution No. 8, Senate Bills Nos. 465, 627, 100, 331, 221, 508, 369, 162, 192, 119, 544, 195, and 199 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted and the above-named bills declared cases of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Pedlar, Seawell, Seymour, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—Senators Martin, McAllister, and Shine—3.

At ten o'clock and fifty minutes A. M. Senator Orr was called to the chair.

CASES OF URGENCY—THIRD READING OF BILL.

Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Read third time.

The question being on the passage of Senate Bill No. 3.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—34.

NOES—None.

Title read and approved.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read second time, considered engrossed, read third time.

MOTION.

Senator Bert moved that the further consideration of Senate Bill No. 281 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

During the second reading of the bill, the following committee amendment was submitted:

Amend by striking out in section two, line two, of printed bill, the word "a" and inserting the word "or."

Adopted.

Bill read second time, ordered printed as amended, considered engrossed, and on special urgency file for third reading.

Senate Bill No. 289—An Act providing for the improvement of streets and roads and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts where the population is at least five hundred, and the manner of ascertaining said population.

During the second reading of the bill, the following committee amendments were submitted:

Amend by striking out of section one all of lines five and six.

Adopted.

Also: Strike out of section one, line four, the words "for the purposes of this Act the population."

Adopted.

Also: Strike out of section one, line two, the words and figures, "and whose population shall exceed five hundred (500)."

Adopted.

Also: Strike out of section one, line one, after the word "district," and insert the following: "or any portion of road district."

Adopted.

Also: Strike out of section two, line two, the words, "and shall state that there is within the said road."

Adopted.

Also: Strike out of section two, line three, the words and figures, "district a population of at least five hundred (500)."

Adopted.

Also: By striking out of section three, line seven, the word "five," and inserting the following: "ten."

Adopted.

Also: By striking out of section three, line sixteen, the words "and at the expiration of."

Adopted.

Also: By striking out of section three, line seventeen, the words "fifteen days after the posting of the resolution of intention."

Adopted.

Also: By striking out of section three, line twenty-one, "the County Surveyor," and inserting the following: "a competent engineer."

Adopted.

Also: Amend section four, line three, by inserting after the word "Supervisor," the words "and at least three places along the line of said proposed work."

Adopted.

Also: By striking out of section four, line thirty-six, the words "County Surveyor," and inserting the following: "Road Commissioner for said district."

Adopted.

Also: By striking out of section five, line one, the words "County Surveyor," and inserting the following: "Road Commissioner of said district."

Adopted.

Also: By striking out of section five, line seven, the words "County Surveyor," and inserting the following: "said Road Commissioner."

Adopted.

Also: By striking out of section five, line eight, the words "County Surveyor," and inserting the following: "Board of Supervisors."

Adopted.

Also: By striking out of section six, line five, the words "in proportion to the frontage."

Adopted.

Also: Amend section six, line six, by inserting after the word "work" (where it appears the first time) the following: "in front of said lot or tract."

Adopted.

Also: By striking out of section seven, line two, the words "County Surveyor" (where they first appear) and inserting the following: "Road Commissioner."

Adopted.

Also: By striking out of section seven, line two, the words "County Surveyor" (where they appear the second time) and inserting the following: "Board of Supervisors."

Adopted.

Also: By striking out of section seven, line seven, the word "County," and inserting the following: "Board."

Adopted.

Also: By striking out of section seven, line eight, the word "Surveyor," and inserting the following: "of Supervisors."

Adopted.

Also: By striking out of section eight, line two, the words "County Surveyor," and inserting the following: "Chairman."

Adopted.

Also: By striking out of section eight, line two, the word "President," and inserting the following: "Clerk."

Adopted.

Also: By striking out of section eight, line four, the words "by virtue hereof I (County Surveyor)," and inserting the following: "Board of Supervisors."

Adopted.

Also: By striking out of section eight, line five, the word "me," and inserting the following: "it."

Adopted.

Also: By striking out of section eight, line eight, the words "County Surveyor," and inserting the following: "name of Chairman of Board of Supervisors."

Adopted.

Also: By striking out of section eight, line nine, the word "President," and inserting the following: "Clerk."

Adopted.

Also: By striking out of section eight, line seventeen, the words "County Surveyor," and inserting the following: "Road Commissioner."

Adopted.

Also: By striking out of section ten, line one, the word "County."

Adopted.

Also: By transposing sections eleven and twelve, section eleven to read: "All Acts or parts of Acts in conflict with this Act are hereby repealed." Section twelve to read: "This Act shall take effect from and after its passage."

Adopted.

Senator Beard moved to amend as follows:

By striking out of section eight, line four, the word "of," after the word "virtue."

Adopted.

Also:

Amend the title of Senate Bill No. 289 so as to read: "An Act providing for the improvement of streets and roads and the construction of sidewalks outside of the limits of incorporated cities and towns."

Adopted.

Bill read second time, ordered printed as amended, considered engrossed, and on special urgency file for third reading.

At eleven o'clock and forty-five minutes A. M., President pro tem. Thomas Flint, Jr., resumed the chair.

THIRD READING OF BILL.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read third time.

SPECIAL COMMITTEE OF ONE.

Senator McGowan moved that Senate Bill No. 11 be referred to Senator Aram, as a special committee of one, with instructions to amend the bill as follows:

In section one, line two, after word "transact" insert the word "fire."

So ordered.

At eleven o'clock and fifty-five minutes A. M. Senator Earl moved that the hour of recess be extended until twelve o'clock and thirty minutes P. M.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 11, with instructions to amend as follows: Insert the word "fire" on line two, section one, after the word "transact," respectfully report the same back, amended as per instructions.

ARAM, Committee.

AYES AND NOES.

The ayes and noes were demanded by Senators McGowan, Biggy, and Burke upon the adoption of the report of the special committee of one.

The roll was called, and the report of the special committee of one and amendment adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Denison, Dunn, Earl, Franck, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, and Withington—25.

NOES—Senators Bert, Biggy, Burke, Fay, Ford, Gesford, Gileaves, Linder, Martin, McAllister, Pedlar, Simpson, and Whitehurst—13.

NOTICE OF RECONSIDERATION.

Senator Mahoney gave notice that on Monday next he would move to reconsider the vote whereby the report of the special committee of one, amending Senate Bill No. 11, was this day adopted.

Bill ordered to print as amended, and on special urgency file for passage.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Gesford: Senate Bill No. 755—An Act for the incorporation of societies for the enforcement of the law and the prosecution of public offenders.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 436 - An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Also: Senate Bill No. 437 - An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

SMITH, Chairman.

RECESS.

At twelve o'clock and thirty minutes p. m. the President pro tem. declared a recess until two o'clock p. m.

REASSEMBLED.

At two o'clock p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

Senator Orr in the chair.

MOTION.

On motion of Senator McGowan, Senate Bill No. 235 was re-referred to Committee on Judiciary.

CASES OF URGENCY—(RESUMED)—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation, and prescribing the duties of such reporter.

During the second reading of the bill, the following committee amendments were submitted:

Amend section one by striking out of line three thereof the words "term of office," and insert in lieu thereof the word "pleasure."

Adopted.

Also: Amend section two by striking out all of said section from and after the word "month," in second line thereof.

Adopted.

Senator Burke moved to amend as follows:

Amend by striking out of section six, line one, the words "and transcript fees."

Adopted.

Bill read second time, ordered printed as amended, considered engrossed, and on special urgency file for third reading.

Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

During the second reading of the bill, the following committee amendments were submitted:

Amend by striking out of section one, subdivision two, line eighteen, of printed bill, the word "filed," and substitute the word "recorded."

Adopted.

Also: Strike out of the same line, and the following line, the words "of this commonwealth," and substitute the following: "wherever the vendee, lessee, or bailee is a corporation operating its line in more than a single county, and in cases where the vendee, lessee, or bailee is a corporation operating its line in a single county, then in the office of the Recorder of such county."

Adopted.

Also: Amend section two by striking out line one of printed bill, and all of line two, down to the word "on," and capitalizing the first letter of that word.

Adopted.

Also: Amend section two by inserting in line eight, before "dollars," the word "ten," and in line nine, before "dollars," the word "five."

Adopted.

Bill read second time, ordered printed as amended, considered engrossed, and on special urgency file for third reading.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

Read first and second times, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—32.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Section one read second time.

During the second reading of the bill, Senator Ford moved to amend as follows:

Amend by striking out of section one, line one, the words "and directed, and it is made its duty," and inserting the following: "whenever in the judgment of said Commissioners it be deemed advisable so to do."

MOTION.

Senator Voorheis moved that the further consideration of Senate Bill No. 29 be postponed, and that the bill and amendment submitted by Senator Ford, and proposed amendment to be submitted by Senator Ford, as follows:

Strike out of section one, lines four, five, and six, the words "and such work of construction upon said extension of said harbor embankment or seawall must be commenced immediately, and continuously carried on to completion with diligence."

Be referred to the San Francisco Delegation, and that the bill retain its place on file.

So ordered.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 607—An Act for the appointment of a guardian of Sutter's Fort property, prescribing his duties and appropriating money therefor.

Read first and second times, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Langford, Linder, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

At three o'clock and twenty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

During the second reading of the bill, Senator Aram moved to amend as follows:

Amend by striking out of section one, lines eleven and twelve, the words "such injunction was granted," and inserting the following: "of service of such injunction."

Lost.

The hour of three o'clock and thirty minutes P. M. having arrived, Senator Voorheis moved that the special order heretofore set for this time, namely, consideration of Assembly Joint Resolution No. 13, relative to the free coinage of silver, be postponed until the matter under discussion be disposed of.

So ordered.

Senate Bill No. 34 read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Arms, Andrews, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Holloway, Linder, Martin, Mitchell, Seawell, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—24.

NOES—Senators Aram, Hart, Mahoney, and Smith—4.

Title read and approved.

SPECIAL ORDER.

The hour having arrived, Senator Voorheis called for the special order heretofore set for this time, namely, consideration of Assembly Joint Resolution No. 13, relative to the free coinage of silver:

ASSEMBLY JOINT RESOLUTION No. 13.

Assembly Substitute for Senate Joint Resolution No. 2, relative to the free coinage of silver.

WHEREAS, We recognize the fact that by the demonetization of silver, and by refusal to give it equal standing in the coinage system of the United States, the material interest of the Nation is dangerously impaired; and whereas, it is recognized to be a fact that the opposition to silver coinage emanates from speculative syndicates and moneyed classes who seek to embarrass the people of the Nation for the advancement of their own selfish ends; and whereas, we entertain the firm belief that the full measure of National prosperity will never be restored until the coinage of silver is resumed, in accordance with the true intent and spirit of the Constitution of the United States, and having unbounded faith in the power and ability of this Nation to restore and maintain silver in its proper position alongside of gold; and whereas, we believe that the issue of United States bonds for the purpose of maintaining a single gold standard, or any standard that does not contemplate the free and unlimited coinage of silver, is a practice fraught with the greatest danger to the stability of our institutions and the maintenance of National credit; therefore, be it

Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to earnestly and urgently advocate the immediate enactment of such laws as may be necessary to provide for the immediate resumption of the free and unlimited coinage of silver in the ratio of sixteen to one; and be it further

Resolved, That our Senators be instructed, and our Representatives be requested, to actively advocate the enactment of such laws as may be necessary to prevent the issue of United States bonds for the sole purpose of maintaining a single gold standard of money; and be it further

Resolved, That the Governor be requested to immediately transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

Assembly Joint Resolution No. 13 (Assembly Substitute for Senate Joint Resolution No. 2) was read.

MOTION.

Senator Voorheis moved that the Senate concur in Assembly Joint Resolution No. 13 (Assembly Substitute for Senate Joint Resolution No. 2).

The roll was called, and Assembly Joint Resolution No. 13 (Assembly Substitute for Senate Joint Resolution No. 2) concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Seawell, Seymour, Shippee, Simpson, Smith, Toner, and Voorheis—32.

NOES—Senators McAllister, Whitehurst, and Withington—3.

On motion of Senator Voorheis, Assembly Joint Resolution No. 13 (Assembly Substitute for Senate Joint Resolution No. 2) was ordered immediately transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

By Senator Gleaves:

Resolved, That a sub-committee from the Committee on Harbors, Rivers, and Coast Defenses, and consisting of three members, be and they are hereby granted leave of absence to visit San Diego, Oakland, San Pedro, Santa Monica, Santa Barbara, Port Harford, and Alviso, in Santa Clara County, for the purpose of inspecting the harbors of the various places herein mentioned; and they are hereby directed to report to this Senate the result of their investigations.

AYES AND NOES.

The ayes and noes were demanded by Senators Orr, Dunn, and Biggy, upon the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Senators Martin and Mathews—2.

NOES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Mitchell, Orr, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—28.

MOTION.

On motion of Senator Arms, Senate Bill No. 745 was ordered referred to Committee on Judiciary instead of to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations—report the same back, and ask that it be referred to Committee on Judiciary.

Also: Senate Bill No. 600—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities and towns, and cities and counties, having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases—have had the same under consideration, and recommend that it do pass.

Also: Senate Bill No. 601—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PEDLAR, Chairman.

Senate Bill No. 587 re-referred to Committee on Judiciary.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 481—An Act to regulate the practice of architecture—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ANDROUS, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 20—Proposing an amendment to article nine of the Constitution, relative to the public school system—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be substituted for Senate Bill No. 215, number seventy-nine on file, the same being identical bills.

Also: Senate Bill No. 530—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Corporations.

Also: Senate Bill No. 658—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Also: Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 531—An Act to reform the Police Court of the City and County of San Francisco, State of California, and regulate the procedure thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

Senate Bill No. 530 re-referred to Committee on Corporations.

RECONSIDERATION.

Senator McGowan, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Assembly Bill No. 9 was finally passed, moved that the further consideration of Assembly Bill No. 9 be made a special order for Saturday next, immediately after reading the Journal.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gleaves: Senate Bill No. 756—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Referred to Committee on Judiciary.

By Senator Henderson: Senate Bill No. 757—An Act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matter.

Referred to Committee on Education and Public Morals.

By Senator Linder (by request): Senate Bill No. 758—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Referred to Committee on City, City and County, and Town Governments.

By Senator Franck: Senate Bill No. 759—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as the Home for Feeble-Minded in Santa Clara County, and for the improvement of the same.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator McAllister: Senate Bill No. 760—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Seymour: Senate Bill No. 761—An Act providing for the relief of Patrick Creighton, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Creighton, his assigns or legal representatives, the sum of seventy-five thousand dollars, and directing the Auditor of said city and county to audit the demand of said Creighton for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Referred to Committee on Claims.

Also: Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Senator Orr, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 15, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNALS.

The Journals of Monday, February 11, 1895; Tuesday, February 12, 1895; and Wednesday, February 13, 1895, were approved.

SPECIAL ORDERS—IMMEDIATELY AFTER READING JOURNAL.

Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipso-maniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

The bill having been read the third time on a previous day, the question was on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

PETITIONS.

Senator Orr presented the following petitions, and same were ordered printed in the Journal:

SANTA BARBARA COUNTY, CAL., February 9, 1895.

To Hon. ORESTES ORR, Senator:

The undersigned, voters of your Senatorial District, and Notaries Public in and for the county of Santa Barbara, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper), and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) Henley C. Booth, C. A. Thompson, W. W. Benton, Joseph J. Perkins, F. M. Whitney, B. S. Hayron, W. H. Woodinger, John O. Coit, W. P. Butcher, Grant Jackson, J. L. Hurlbut, Caleb Sherman, Philip Stewart, M. Thornburg.

Also the following:

To the honorable members of the Senate and Assembly of the State of California:

We, the undersigned, citizens of Ventura County, California, do most respectfully ask that section two hundred and sixty-one of the Penal Code of this State be so amended as to make the "age of consent" eighteen years; and that paragraph one of section two hundred and sixty-one be amended so as to read: "1. Where the female is under the age of eighteen years."

W. G. Adams, P. W. Kauffman, J. C. Youngken, J. E. Lowes, J. M. Owens, Mrs. F. E. Newby, Mrs. H. D. Ley, Miss Hattie Ley, Mrs. B. L. Parker, Mrs. T. S. Newby, Mrs. A. M. Carrillo, Mrs. J. A. Shaw, Mrs. E. P. Shaw, W. E. Shepland, John Coplin, M. Stewart, E. D. Hurst, E. Hartmann, H. L. Poplin, Mrs. Theodosia B. Sheppard, Myrtle S. Lloyd, J. P. Rasmussen, F. N. Merriam, J. S. Collins, S. Bristol, J. C. Morrison, F. W. Ewing, C. G. Yates, B. T. Williams, E. P. Warner, M. E. Bogart, G. S. Barnes, H. A. F. Miller, J. B. Beardsley, Geo. N. Mickel, C. B. McDonell, C. E. Allyn, R. K. Morgan, J. H. Mason, Randolph R. Freeman, H. E. Moffett, Jas. B. Wagner, A. S. Kenogy, Ed. M. Hirschfelder, Chas. Barnard, A. R. Crawford, W. H. Barnes, A. J. Bell, A. J. Snodgrass, J. B. Alvord, J. D. Morgan, A. Badgley, L. D. Fowler, Lloyd Selby, Mrs. C. E. Allen, Mrs. B. T. Williams, Mrs. L. B. Morgan, Mrs. C. Williams, Miss J. S. Whitecomb, Miss N. J. Moore, Miss M. C. Morrill, Mrs. C. S. Younglove, Mrs. H. Lassen, Mrs. Elvira Joyce, Mrs. F. L. Saxby, Mrs. H. Clay, Ada M. Reynolds, Alice Younglove, Gertrude S. Allyn, Mrs. Alice D. Miller, Emma Cook, Mrs. A. F. Jones, Ella M. Peck, Mrs. H. S. Peck, Nellie A. Beswich, Mrs. F. N. Merriam, M. H. Mendleson, J. C. Brewster, W. M. Green, C. S. Younglove, N. W. Crane, H. C. Sullivan, James A. Beard, F. T. Isenburg, F. M. Fulstone, W. E. Johnson, Jas. W. Shuneat, Mrs. Nellie N. Sheldon, Mrs. A. L. Strickland, Mrs. Anna E. English, Miss Grace Clark, Margaretta A. Lawford, Margaret C. Shepherd, Edie S. Hobson, E. M. Sargent, T. S. Newby, Mrs. A. Goodwin, Bera C. Day, Mrs. E. H. Hotchkiss, Mary O. Brewster, S. J. Day, Mrs. E. H. Ireland, Mrs. N. S. Isenburg, Mrs. A. Blackburn, Mrs. B. Collins, Mrs. J. C. Youngken, Mrs. L. N. Hall, Mrs. G. W. White, Mrs. E. S. Hall, Mrs. S. F. Lowes.

Also the following:

At a regular meeting of the Board of Trade of Santa Barbara County, held in Santa Barbara City the eighth day of February, 1895, the following resolution was unanimously adopted:

Resolved, That the Board of Trade of Santa Barbara County protests against the proposed discontinuance of State aid to the agricultural fairs held in the various counties of this State; and requests the representatives in the Legislature of our Assembly and Senatorial districts to exert their best efforts to have said aid continued.

C. H. FRIEND,
Secretary Santa Barbara County Board of Trade.

Also the following:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver, who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) Jeanie Grant, Jas. Grant, Bessie Stuart, Jane Dunbar Grant, Peter Grant, Alex. Selove, K. E. Manchester, Ella S. Moore, Alexander Grant, C. W. Grant, Elsie E. Grant, E. I. Grant, Samuel Edwards, Thos. Dawe, Jr., J. H. Burson, R. B. Lamb, D. W. Emerson, Martinette Kinsell, W. I. Miller.

Senator Seymour presented the following memorial, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver, who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) M. I. Sovereign, Lena Mares, A. M. Scott, Edith Miller, Mrs. B. M. Lillibridge, Mrs. J. L. Taber, Mrs. S. E. Wall, Miss Grace Cover, Clara Dill, J. P. Miller, Miss Lucy Corkhill, Mrs. C. H. Cornell, Mrs. H. A. Osborn, Mrs. I. A. Wellington, Mrs. Mary Dyer, Mrs. Robert Board, Mrs. Lida Brandon, Grace M. Taber, Mrs. O. B. Fuller, Mrs. C. A. Cover, Mrs. Geo. Nowlin, Mrs. Horace McPhee, Miss Jennie Lincoln, Mrs. W. F. Rad-dall, Lura Raw, John Richards, S. Richards, W. Maston, J. H. McKnight, C. E. Ives, W. Purrier, Rose Wilkins, Geo. H. Pfuiff, F. W. Hazen, Angus Ray, William Pratt, I. A. Newton, J. R. Cuttle, William Dyer, Mrs. A. C. Peddicord, A. E. Peddicord, J. C. Gleason, M.D., A. H. Scott, John B. Knorr, J. W. Dill, Mrs. H. L. Cutter, Mrs. I. A. McCarthy, Miss Dora Scott, Ola Williams, C. S. McMillan, Maggie Glass, Bessie L. Gibbs, Mrs. S. B. Tuthill, Emma Frisbie, C. A. Cover, James Wallace, Roy Cornell, Bessie Baird, L. F. Baird, S. L. Bloom, Emma Bloom, G. D. Turner, A. J. Dill, C. H. Cornell, Lizzie Anderson, C. E. Lillibridge, H. M. C. Foster, J. M. Glass, A. B. Caldwell, Samuel Angus, John N. Anderson, Mabel Taber, Laura Simpson, Florence L. Barber, Frank Dill, Jessie Rar, Chas. E. Peach, Mrs. C. E. Peach, Mrs. G. Brown, Mrs. H. C. Foster, Mrs. J. C. Raw, Mrs. J. T. Merriam, Miss H. L. Jewell, Miss M. C. Jewell, Mrs. J. R. Riddell, Vic. Kelley, Mrs. and Mr. Craig, D. A. Sovereign, Robert Board, A. L. Taber, George H. Merriam, Frank Johnson, William Caskill, J. L. Taber, J. L. Merriam, T. W. Lincoln, J. S. Jewell, B. E. Savery, A. B. Tuthill, W. C. Barth, Thos. Glass, Eliza Ford, Mrs. G. Baird, Mrs. Carrie Birdsall, Amy Gleason, Chas. Scott, F. M. Baldwin, W. D. Grow, S. S. Peach, Florence Gleason, Mrs. F. M. Baldwin, Mrs. Anna Grow, Mrs. C. D. Hamilton, Mr. T. Reede, Clark Songer, E. B. Dill, C. E. Nowlin, Jesse E. Craig, Della Brockman, John Phillips, George Brockman, Jessie N. Kelley, Della L. Martin, Frank L. Cram, J. S. Edwards, L. F. Cram, Peter Worley, G. V. Cadwallader, and Lou Worley.

COMMUNICATION.

Senator Biggy presented the following communication, and same was ordered printed in Journal, and referred to Committee on Finance:

"THE EXAMINER," SAN FRANCISCO, February 14, 1895.

To the Senate of the State of California, Sacramento, Cal.:

GENTLEMEN: We beg to protest against the action of your Finance Committee in reducing the amount of the "Examiner's" bill for publishing the constitutional amendments.

In the first place, publication was made in the "Examiner" by order of the Governor, and the charge made was at the same rate as the "Examiner" charges its largest commercial customers. This we are prepared to substantiate, if given an opportunity to do so before your committee.

In the second place, your committee has allowed the same amount to the other morning papers of San Francisco as was allowed to the "Examiner." On account of its larger circulation, advertising in the "Examiner" sells for a higher rate than in any other San Francisco newspaper.

It is apparent from the sums awarded to the different newspapers by your committee that your committee did not in any way take into consideration the value of the advertising sold.

We respectfully submit that the action of your committee in arbitrarily reducing a just claim, without giving due consideration to the merits of the same, is calculated to bring the State into contempt, and deprive it of that credit which is necessary to its proper maintenance.

Very respectfully yours,

W. R. HEARST.
By T. T. W.

Senator Pedlar presented the following petition, and same was ordered printed in the Journal:

MADERA COUNTY, CAL., February 8, 1895.

To Hon. A. J. PEDLAR:

The undersigned, voters of Fresno and Madera Counties, and Notaries Public in and for the county of Madera, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) Robert S. Hargrove, J. B. Meloche, E. M. McCardle, Francis A. Fee, O. T. Redfield, W. C. Maze, H. W. Larew.

Senator Bert, by request, presented the following petition, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) E. B. Stewart, James Currie, Mrs. John Walker, Mrs. P. Miller, J. A. Butters, B. Benton, Mrs. E. Wright, A. E. Gibson, R. F. Munn, Mrs. S. J. Deal, W. McKillop, Katie Rogers, Mrs. E. McNab, Helen M. Rutherford, Jessie Mackay, Mrs. A. E. Killgore, Charles Morrill, Miss Rosma Treadwell, Mrs. E. B. Stewart, Laura Treadwell, D. MacLachlan, J. J. Beaton, Geo. McLeod, Jos. A. Foster, Rena McLeod, Mrs. Beaton, E. C. Lanson, M. R. Jones, Zulla M. Hiester, George Linden, A. F. McLeod, Mrs. J. F. Smith, Mrs. S. Roberts, L. S. McKillop.

Senator Ford presented the following petition, and same was ordered printed in the Journal:

WHEREAS, We are informed that a bill is about to be introduced in the Legislature of this State, making it unlawful for the Board of Supervisors of any county to levy a license tax upon the business of raising or pasturing sheep; and whereas, each year large bands of sheep are driven into this, Plumas County, and pastured here during the

summer season, thus destroying our pastures and doing great injury to our roads; and whereas, no taxes are paid into the treasury of this county by the owners of such sheep, and if the proposed bill should become a law, the number of sheep pastured in this county each year would be greatly increased, thereby resulting in the destruction of our pastures and great injury to our roads; be it

Resolved, That our representatives at Sacramento are earnestly urged to do all in their power to secure the defeat of said bill, and to preserve the law as it now exists.

Resolved, further, That the Clerk of this Board transmit a copy of these resolutions to the Hon. Tiley L. Ford, Senator in and for this Senatorial District, and a copy thereof to the Hon. E. V. Spencer, Assemblyman in and for this Assembly District.

Adopted by the unanimous vote of the Board of Supervisors of Plumas County, this eleventh day of February, 1895.

H. C. FLOURNOY, Clerk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth years.

Also: Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Also: Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture for the State Normal School at Los Angeles, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and tools for the use of the State Normal School at Los Angeles, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal school building at Los Angeles, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 635—An Act to promote the practical study of the sciences in the high schools of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred Senate Bill No. 398—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the Trustees; to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the fees to be collected by the Secretary of State for services rendered by him in his official capacity—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EARL, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 240—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the accompanying substitute, and recommend that it do pass.

ANDROUS, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: As a member of your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 240—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor—I desire to submit the accompanying substitute, and respectfully recommend that it do pass.

GESFORD.

Senate Bill No. 240 and substitute for same, re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 704—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to repeal section seven hundred and twenty-nine thereof, relating to actions for the foreclosure of mortgages.

Also: Senate Bill No. 628—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Also: Senate Bill No. 714—An Act to amend section fifty-three of the Code of Civil Procedure, relating to the judgments of the Supreme Court.

Also: Senate Bill No. 585—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Also: Senate Bill No. 594—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to semi-annual returns by the Public Administrator, so as to make the cost of publishing such returns a charge against the county.

Also: Senate Bill No. 624—An Act to amend section seven hundred and eighteen of the Civil Code, relating to leases of town or city lots.

Also: Senate Bill No. 626—An Act to amend section seven hundred and seventeen of the Civil Code, relating to leases of agricultural land.

Also: Senate Bill No. 637—An Act to repeal an Act entitled "An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General," approved March 31, 1891.

Also: Senate Bill No. 651—An Act to amend section six hundred and forty-seven of the Penal Code.

Also: Senate Bill No. 657—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure, relating to the manner of commencing actions in Justice's Court.

Also: Senate Bill No. 656—An Act to amend section four hundred and seven of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Also: Senate Bill No. 659—An Act relating to the qualifications of persons to hold office, and of deputies under them, and of attachés of the Legislature other than Senators or Assemblymen.

Also: Senate Bill No. 32—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Also: Senate Bill No. 513—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 701—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts—have had the same under consideration, and respectfully report that the same is unconstitutional, under section one of article four of the Constitution.

Also: Senate Bill No. 539—An Act to add a new section to the Civil Code of California, in relation to the remedial powers of Courts of justice, and the terms and conditions of which relief may be granted, to be known and numbered as section three thousand two hundred and seventy-six of said Civil Code.

Also: Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 691—An Act to amend section one thousand nine hundred and eighty of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Military Affairs.

Also: Senate Bill No. 602—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Also: Senate Bill No. 598—An Act to amend section five hundred and twenty-six of the Code of Civil Procedure, relating to injunctions.

Also: Senate Bill No. 498—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to sales by commissioner, under decree of foreclosure of mortgage.

Also: Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Also: Senate Bill No. 641—An Act to regulate and provide for a day of rest in certain cases.

Also: Senate Bill No. 654—An Act to provide for the licensing of public accountants.

Also: Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Also: Senate Bill No. 688—An Act to amend section two hundred and three of the Civil Code of California, relating to parent and child.

Also: Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Also: Senate Bill No. 722—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, relating to property taxes.

Also: Senate Bill No. 720—An Act to amend section two hundred and fourteen of the Code of Civil Procedure, relating to the orders of Judges for drawing jurors.

Also: Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Also: Senate Bill No. 708—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section one thousand four hundred and thirty-one thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 29, 1874, by adding thereto two new sections, regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

Also: Senate Bill No. 618—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to certain cases when the place of trial may be changed.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 541—An Act to protect life and property from destruction by electric wires—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Corporations.

Also: Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment—have had the same under consideration, and respectfully report that in the opinion of your committee it is unconstitutional; its valid provisions are covered by Senate Bill No. 235.

Also: Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Elections.

Also: Senate Bill No. 678—An Act fixing salary of official shorthand reporter of counties of the twenty-eighth class—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 673—An Act to amend the Political Code by adding a new section thereto, to be known as section three thousand nine hundred and fifty-nine, relating to the fixing of the boundaries of Orange County—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Counties and County Boundaries.

Also: Senate Bill No. 665—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Education and Public Morals.

Also: Senate Bill No. 586—An Act to amend section one hundred and ten of the Code of Civil Procedure, relating to terms of office of Justices—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on City, City and County, and Town Governments.

Also: Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Also: Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McGOWAN, Chairman.

Senate Bill No. 691 re-referred to Committee on Military Affairs.

MOTION.

Senator Denison moved that Senate Bill No. 235 be ordered printed, with amendments suggested by the committee, and made a special order for Tuesday next, immediately after reading the Journal.

So ordered.

Senate Bill No. 541 re-referred to Committee on Corporations.

Senate Bill No. 486 re-referred to Committee on Elections.

Senate Bill No. 678 re-referred to Committee on County Government and Township Organization.

Senate Bill No. 673 re-referred to Committee on Counties and County Boundaries.

Senate Bill No. 665 re-referred to Committee on Education and Public Morals.

Senate Bill No. 586 re-referred to Committee on City, City and County, and Town Governments.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 454—An Act to amend section one thousand four hundred and sixteen of the Civil Code, relating to water rights—have had the same under consideration, and respectfully report the same back without recommendation.

FORD, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Substitute for Senate Bill No. 268—An Act to amend sections three, four, six, and seven of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March 4, 1881; also, to repeal an Act entitled "An Act to enlarge the duties of State Viticultural Commissioners," approved February 26, 1885—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 175—An Act to prevent damage from the overflow of artesian wells—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of levee district number two, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Also: Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Also: Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Also: Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HIOYT, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 545—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Also: Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California.

Also: Senate Bill No. 564—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 526—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ORR, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EARL, Chairman.

LEAVE OF ABSENCE.

Senator Burke was granted a leave of absence for the day, on motion of Senator Gesford.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Aram: Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Seymour: Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all moneys received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

Referred to Committee on Finance.

Also: Senate Bill No. 765—An Act to promote and encourage ship-building in the State of California.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 766—An Act to prohibit the officers and employes of banks and banking corporations from borrowing the funds thereof.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 767—An Act to amend section ninety-two of the Civil Code, relating to divorce, and to add a new section to the Civil Code, to be known and designated as section one hundred and eight of the Civil Code, relating to divorce.

Referred to Committee on Judiciary.

By Senator Pedlar (by request): Senate Bill No. 768—An Act to amend section three hundred and twenty-two of the Penal Code of California, relating to lotteries.

Referred to Committee on Education and Public Morals.

INTRODUCTION OF SENATE CONSTITUTIONAL AMENDMENT.

By Senator Arms: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one, article thirteen thereof, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

SPECIAL FILE—SECOND READING OF BILL.

Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Read second time, ordered engrossed, and on file for third reading.

SECOND READING OF BILLS.

Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

During the second reading of the bill, the following committee amendments were submitted:

Amend by striking out of section one, line one, the words "ten thousand," and inserting the following: "three thousand six hundred and forty-two."

Adopted.

Also: Amend by striking out of section one, line four, the words "forty-fifth and forty-sixth," and inserting the following: "forty-seventh and forty-eighth."

Adopted.

Also: Amend title by striking out words "forty-fifth and forty-sixth," and inserting "forty-seventh and forty-eighth."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

During the second reading of the bill, Senator Seawell moved to amend as follows:

By adding to section one, line eight, after the word eighty-nine, the words "and also to pay the deficiency in the appropriation to complete the female ward, etc., approved March 3, 1893."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed on file.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Passed on file.

Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was per-

formed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

During the second reading of the bill, the following committee amendments were submitted:

In line three, section one, printed bill, strike out all of line three, down to and including the word "Creed" in line four, and insert the following: "the Directors of the Deaf, Dumb, and Blind Asylum."

Adopted.

Also: Insert in line four, after the word "furnished," the words "by John M. Creed."

Adopted.

Also: Amend title by striking out the words "claim of Henry W. Taylor, assignee of John M. Creed," and inserting the following: "Directors of the Deaf, Dumb, and Blind Asylum."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

THIRD READING OF BILLS.

Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read third time.

The question being on the passage of Senate Bill No. 150.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McAllister, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Read third time.

The question being on the passage of Senate Bill No. 152.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Seymour, Shippee, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Read third time.

The question being on the passage of Senate Bill No. 529.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shippee, Smith, Toner, Whitehurst, and Withington—29.

NOES—Senator Holloway—1.

Title read and approved.

Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Read third time.

The question being on the passage of Senate Bill No. 151.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—Senator Orr—1.

Title read and approved.

Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Read third time.

The question being on the passage of Senate Bill No. 436.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Biggy, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seymour, Shippee, Smith, Toner, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Read third time.

The question being on the passage of Senate Bill No. 437.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Biggy, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Seymour, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—Senators Orr and Pedlar—2.

Title read and approved.

Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Read third time.

The question being on the passage of Senate Bill No. 75.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Earl, Fay, Flint, Ford, Franck, Gesford, Hoyt, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six article eleven, of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed on file.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to article nine of the Constitution, section seven, relative to the free distribution of State text-books of the common schools of the State of California.

Passed on file.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution

of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Passed on file.

Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to article nine of the Constitution, section six, relative to the public school system.

Passed on file.

LEAVE OF ABSENCE.

Senator Bert was granted, on request, an indefinite leave of absence.

RESOLUTION—(OUT OF ORDER).

By Senator Flint:

Resolved, That a sub-committee of three from the Committee on State Prisons and Prison Buildings be and are hereby granted leave of absence for the purpose of visiting the State Prison at San Quentin, and also the Preston School at Ione.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ford: Senate Bill No. 769—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Referred to Committee on Finance.

By Senator Holloway: Senate Bill No. 770—An Act to amend the Act to promote the purity of elections, by the addition of three new sections, to be known as sections forty-six, forty-seven, and forty-eight.

Referred to Committee on Elections.

By Senator Langford: Senate Bill No. 771—An Act to provide for the protection of public highways from damage from overflow from natural non-navigable watercourses.

Referred to Committee on Public and Swamp and Overflowed Lands.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 43—An Act to provide for the purchase of additional grounds for State Insane Asylum at Napa—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

At eleven o'clock and thirty minutes A. M. Senator Ford was called to the chair.

MOTION.

Senator Pedlar moved to take up out of order messages from the Assembly.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of February, passed Assembly Joint Resolution No. 20—Relative to securing immediate attention from Congress to the United States Debris Commission.

S. J. DUCKWORTH, Chief Clerk.

ASSEMBLY JOINT RESOLUTION No. 20.

WHEREAS, The appropriation for the contingent expenses of the United States Debris Commission is about exhausted, and the prosecution of this work endangered; therefore, be it

Resolved by the Assembly, the Senate concurring. That our Senators and Representatives in Congress be requested to give the matter their immediate attention, with a view to securing an additional appropriation at the earliest possible moment.

Resolved. That a copy of these resolutions be immediately telegraphed to our Senators and Representatives.

On motion, Assembly Joint Resolution No. 20 was read.

The roll was called, and Assembly Joint Resolution No. 20 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Also: Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Also: On February twelfth, Assembly Substitute Joint Resolution No. 14—Relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County.

S. J. DUCKWORTH, Chief Clerk.
By TOWLE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of February, 1895, passed Assembly Constitutional Amendment No. 7—A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

S. J. DUCKWORTH, Chief Clerk.

MOTIONS.

Senator Earl moved that the rules be suspended and that Assembly Bill No. 553 be taken up and considered at once, without reference to committee.

Senator Voorheis moved as a substitute that Assembly Bill No. 553 be referred to Committee on Finance.

Senator Pedlar moved to amend by referring Assembly Bill No. 553 to Committee on Finance, with instructions to report the same back to the Senate in time to be made a special order for Tuesday next, immediately after recess.

Amendment accepted, and substitute for original motion thereupon carried.

Assembly Bill No. 553 referred to Committee on Finance.

Assembly Bill No. 508 referred to Committee on City, City and County, and Town Governments.

Assembly Substitute Joint Resolution No. 14 referred to Committee on Commerce and Navigation.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Mathews, Senate Bill No. 297 was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 420 substituted therefor on the file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McGowan: Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

Referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Fay: Senate Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

At eleven o'clock and fifty minutes A. M. President pro tem. Thomas Flint, Jr., resumed the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of one hundred and sixty dollars and ninety-six cents, as per vouchers hereto attached, said warrant to be so drawn upon the contingent expenses of the Senate, and the Treasurer is directed to pay the same:

SACRAMENTO, February 12, 1895.

State of California to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

Feb. 3—Union Ice Co., 1,400 pounds ice	\$14 00
Feb. 4—Mrs. McCall, washing towels	3 75
Jan. 17—Sacramento Glass and Crockery Co., two 20-gallon filters	30 00
Jan. 10—Pacific Postal Telegraph Co., telegrams	2 71
Matting, and laying same	110 50
Total.	\$160 96

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

LEAVE OF ABSENCE.

Senator Earl was granted a leave of absence until Monday next, at his own request.

RECESS.

At eleven o'clock and fifty-seven minutes A. M., on motion of Senator Voorheis, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Langford, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seymour, Simpson, Smith, Voorheis, Whitehurst, and Withington.

Quorum present.

INVITATION.

Senator Mathews presented the following invitation, and same was read and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, February 15, 1895.

To the President pro tem. of the Senate, California Legislature, thirty-first session:

HONORED SIR: We take pleasure to extend to the President pro tem. and members of the Senate of the State of California, an invitation to be present at our celebration, La Fiesta de Los Angeles, which takes place from April 15th to 20th.

Yours respectfully,

THE MERCHANTS' ASSOCIATION OF LOS ANGELES.

MAX. MEYBERG, Director-General.

The President pro tem. announced that under Joint Rule 23, which reads:

XXIII.

On and after February 14, 1895, the Senate and Assembly shall adopt and provide a special file, upon which shall be placed: in the Senate, only Assembly Bills that have passed the Assembly; and in the Assembly, only Senate Bills that have passed the Senate.

Such special file shall be taken up at two o'clock p. m. each day, and be considered one hour and a half after being so taken up.

The Senate would proceed to consider Assembly Bills on the special file.

MOTION.

Senator Voorheis moved that only first and second reading of bills on said file be in order.

So ordered.

LEAVE OF ABSENCE.

At two o'clock and ten minutes p. m. Senator Whitehurst was granted a leave of absence for five minutes.

Senators Dunn, Mahoney, McAllister, Pedlar, and Toner were granted leave of absence, in accordance with resolutions previously adopted.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

During the second reading of the bill, the following amendments, suggested by Committee on Judiciary, were submitted:

In line six, printed bill, strike out the words "of record in the name of the husband."

Adopted.

Also: Strike out all of section two.

Adopted.

Read second time, ordered printed as amended, and on file for third reading.

Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Read second time, and ordered on file for third reading.

Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be num-

bered as section two thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Read second time, and ordered on file for third reading.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 177 was, with the unanimous consent of the Senate, withdrawn.

Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read second time, and ordered on file for third reading.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 181 was, with the unanimous consent of the Senate, withdrawn.

Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Read second time, and ordered on file for third reading.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

During the second reading of the bill, the following amendment, suggested by Committee on Judiciary, was submitted:

Amend by striking out of the printed bill all on line eighteen after the word "situated," and also all of line nineteen.

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Read second time, and ordered on file for third reading.

FIRST READING OF BILL.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read first time, and ordered on file for second reading.

SECOND READING OF BILL.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Read second time, and ordered on file for third reading.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 667—An Act to prevent Sabbath desecration, and to secure a weekly rest day.

WHEREAS, "Christianity is the common law of the land"; and as the people of the State generally, regard the Christian Sabbath, or the first day of the week, as sacred to rest and to religious worship, and because the best interests of the State are conserved

by Christian morality, which is inseparably connected with the proper observance of the Sabbath.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, but that as substitutes therefor the following two bills do pass, namely: Committee Substitute for Senate Bill No. 667; and bill by Senator Earl (Senate Bill No. 667), both of which are herewith respectfully presented and submitted.

EARL, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association, all money received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Beard:

Resolved, That Joseph Turner be and he is hereby appointed Rear Porter of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate, said appointment to date from January 7, 1895.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

On motion of Senator Seymour, Senate Bill No. 64 was withdrawn from Committee on Finance, and re-referred to Committee on Judiciary.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 773—An Act to amend section three thousand five hundred and fifty-five of the Political Code, relative to costs of proceedings against delinquent purchasers of public lands.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 774—An Act to ascertain and express the will of the people of the State of California upon the subject of establishing a weekly day of rest.

Referred to Committee on Education and Public Morals.

By Committee on Agriculture: Senate Bill No. 775—An Act to create agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof, as are in conflict herewith," approved March 20, 1891, and to repeal all amendatory Acts thereof, and to provide for the disposition of State property and records now in the possession of the agricultural associations of this State.

Ordered on file.

By Senator Fay: Senate Bill No. 776—An Act to amend section one thousand one hundred and thirty-one of the Political Code, prescribing the duties of Boards of Supervisors, or other Boards having control of elections, in issuing its orders, appointing Boards of Election, designating the place where elections are to be held, and the offices to be filled.

Referred to Committee on Elections.

Also: Senate Bill No. 777—An Act providing for the registration by hotel, boarding, lodging, and rooming house keepers of roomers and lodgers, requiring the making reports thereof, and providing for the punishment of a failure to comply with the provisions thereof.

Referred to Committee on Judiciary.

MOTIONS.

Senator Ford moved that the Senate suspend the order of business, and proceed to consider bills on the first-reading file.

So ordered.

On motion of Senator Ford, Senate Bill No. 696 was taken up for consideration.

FIRST READING OF BILL.

Senate Bill No. 696—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Read first time, and ordered on file for second reading.

FIRST READING OF BILLS.

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

At three o'clock and seven minutes P. M. Senator Aram was called to the chair.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 476—An Act to pay the claim of Fred Hansted, for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893.

Senate Bill No. 501—An Act making an appropriation to pay the

rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Senate Bill No. 353—An Act to appropriate the sum of three hundred dollars to pay the claim of A. L. Wood for the capture of Francisco Torres.

Senate Bill No. 305—An Act to prevent fraudulent or wash sales of goods sold on commission, and to prevent dishonest returns of sales, and to provide a punishment therefor.

Senate Bill No. 295—An Act to provide for holding an annual exhibition in Southern California, to be known as the "Southern California State Fair."

Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Senate Bill No. 161—An Act relating to estrays.

Senate Bill No. 271—An Act to amend section one of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Police Court.

Senate Bill No. 619—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants," approved March 23, 1893, and to add new sections thereto, being known and designated as sections four, five, six, seven, and eight.

Senate Bill No. 282—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Senate Bill No. 390—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Senate Bill No. 283—An Act to amend section one thousand three

hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen; and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six; and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Senate Bill No. 415—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicide.

Senate Bill No. 423—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Senate Bill No. 318—An Act to amend section three thousand seven hundred and ninety-four and section three thousand six hundred and eight of the Political Code of this State, relating to assessment and taxation.

Senate Bill No. 311—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section one thousand two hundred and sixty-nine, relating to elections.

Senate Bill No. 364—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties, of this State to use patented automatic voting or ballot machines at all elections therein.

Senate Bill No. 439—An Act providing for the judicial establishment of wills and of the status of testators as related to wills so established, and for the custody and revocation of such wills.

Senate Bill No. 416—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions.

Senate Bill No. 383—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Senate Bill No. 494—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Senate Bill No. 432—An Act to amend section two thousand nine hundred and twenty-six of the Civil Code, relating to mortgage of real property; on what a lien.

Senate Bill No. 433—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Senate Bill No. 496—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Senate Bill No. 495—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Senate Bill No. 492—An Act to appoint a committee to locate a penitentiary at some point in San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Fresno, Kings, Kern, San Benito, or Inyo County.

Senate Bill No. 450—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto.

Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instruments of writing, not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January, of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Senate Bill No. 406—An Act appropriating money to pay the claim of T. Carl Spelling for legal services.

Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Senate Bill No. 96—An Act to provide for incorporation, operation, and management of coöperative associations.

Senate Bill No. 19—An Act to authorize the incorporation of mutual associations to transact the business of life or accident insurance on the assessment plan, and to control such corporations of this State and corporations of other States transacting the business of assessment insurance in this State, and providing and fixing the punishment for violation of the provisions hereof.

Senate Bill No. 612—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General as the general locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Senate Bill No. 26—An Act entitled an Act to amend the Act of March 14, 1891, entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress, waiving the title of the State to lands therein, and accepting the provisions made therefor under section two thousand two hundred and seventy-five of the Revised Statutes of the United States.

RESOLUTIONS.

Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

Passed on file.

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River, and other inland waters of the State.

Passed on file.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 510—An Act prohibiting the use of barbed wire fences in public lanes, streets, alleys, roads, or highways.

Senate Bill No. 509—An Act entitled an Act to prevent deception in the sale of cheese.

Senate Bill No. 636—An Act to amend section one thousand eight hundred and fifty-four of the Civil Code of California, relating to the duties of depositaries.

Senate Bill No. 113—An Act to prevent the use of fraudulent marks on merchandise.

Senate Bill No. 314—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Senate Bill No. 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

Senate Bill No. 109—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Senate Bill No. 272—An Act to amend section eight of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act, now amended, was approved February 23, 1893, and to fix the compensation of the official stenographers of said Police Court.

Senate Bill No. 118—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Senate Bill No. 131—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Senate Bill No. 524—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, relating to stock and stockholders of corporations.

Senate Bill No. 610—An Act entitled an Act to amend section sixteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State; for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Senate Bill No. 652—An Act entitled an Act to provide for the inheriting of community property by a married woman, upon the death of the husband, intestate.

Senate Bill No. 90—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Senate Bill No. 288—An Act to amend section three thousand five hundred and thirty-five of the Political Code.

Senate Bill No. 308—An Act to authorize the Board of Trustees of the Southern California State Asylum for the insane and inebriates to convey certain water rights.

Senate Bill No. 267—An Act to repeal an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

Senate Bill No. 4—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Senate Bill No. 190—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Senate Bill No. 600—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities and towns, and cities and counties, having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Senate Bill No. 601—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893.

Senate Bill No. 658—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Senate Bill No. 531—An Act to reform the Police Court of the City and County of San Francisco, State of California, and regulate the procedure thereof.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Senator Withington, the Senate adjourned until Monday, February 18, 1895, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, February 18, 1895. }

The Senate met pursuant to adjournment, at two o'clock P. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Beard, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Mahoney, Martin, McGowan, Orr, Seymour, Simpson, Smith, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, February 15, 1895, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNALS.

The Journal of Thursday, February 14, 1895, and of Friday, February 15, 1895, were approved.

The President pro tem. announced that under Joint Rule 23, the Senate would proceed to consider Assembly Bills on the special file.

MOTION.

Senator Orr moved that only first and second reading of bills on said file be in order.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS—SECOND READING OF BILLS.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Passed on file, on motion of Senator Orr.

Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Read second time, and ordered on file for third reading.

Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

During the second reading of the bill, the following amendments, suggested by Committee on Judiciary, were submitted:

Strike out of said bill all on line six after the word "property," down to and including line ten.

Adopted.

Also: Strike out all of section two.

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Read second time, and ordered on file for third reading.

Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Read second time, and ordered on file for third reading.

Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read second time, and ordered on file for third reading.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Read second time, and ordered on file for third reading.

Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time, and ordered on file for third reading.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Read second time, and ordered on file for third reading.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Read second time, and ordered on file for third reading.

Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Read second time, and ordered on file for third reading.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

MOTIONS.

On motion of Senator Withington, Senate Bill No. 166—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State—was withdrawn from the Committee on Judiciary and referred to Committee on Education and Public Morals, but to retain its place on file.

Senator Simpson moved that the Senate proceed to consider bills on the first-reading general file.

Senator Ford moved, as an amendment, that the Senate proceed with the regular order of business.

Amendment adopted.

PETITIONS.

Senator Flint presented the following petition, and same was ordered printed in the Journal:

MONTEREY COUNTY, CALIFORNIA, February 11, 1895.

To Hon. THOS. FLINT, Senator:

The undersigned, voters of Monterey and San Benito District, and Notaries Public in and for the county of Monterey, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose both by your vote and influence the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) H. W. Briggs, B. A. Eardley, E. C. Smith, F. W. Ellis.

Senator Gleaves presented the following petition, and same was ordered printed in the Journal:

SUSANVILLE, CAL., February 14, 1895.

Hon. J. M. GLEAVES, Senate Chamber, Sacramento, Cal.:

DEAR SIR: We, the undersigned, residents of Susanville, Lassen County, California, hereby most respectfully request that you use your best efforts to secure the passage of

the proposed "Desert Land Enabling Act," introduced by you. The said bill involves important interests to this county, and to the State at large.

(Signed:) C. G. Tinington, President Bank of Lassen County; Fred Hines, Vice-President Bank of Lassen County; H. W. Meylert, Cashier Bank of Lassen County; N. S. McKinsey, Postmaster; F. H. Bangham, merchant; J. S. Church, hardware; Alfred F. Jackson, merchant; H. N. Skadan, liveryman; Nathan & Schmidt, merchants; J. B. Spalding, druggist; F. E. Kingsbury, Auditor and Recorder; P. J. Miller, harness and saddlery; M. Asher & Bro., merchants; Alexander & Knoch, merchants; Cohn Bros., merchants; T. N. Long, Supervisor District No. 2; E. W. Hayden, Editor "Advocate"; Harry L. Cain, Susanville Waterworks; A. E. Dozin, M.D., Physician and Surgeon; A. C. Hunsinger, Butcher; J. M. Tremain, Editor "Lassen Mail"; Robert Johnston, proprietor Johnston House; McClellan & Campbell, proprietors McMillan House; Albert Halen, Surveyor; Chas. A. Forkner, Treasurer Lassen County; F. S. Strong, Deputy Sheriff; Frank P. Cady, Assessor; W. H. Burrill, County Clerk; W. T. Masten, Superior Judge; W. J. Barry, District Attorney; T. G. Ward, Sheriff Lassen County, Cal.

Senator Franck presented the following protest, and same was ordered printed in the Journal:

To the honorable the Senate and Assembly of California:

GENTLEMEN: We, the undersigned, officers of building and loan associations, respectfully protest against the abolition of the Building and Loan Commission, because we believe it has been of great practical benefit to the building and loan interests in this State, and promises to be of still greater benefit. As the cost of maintaining said commission is borne by special tax on the building and loan associations, we can see no retrenchment in public expenditures by its abolition, and we earnestly request that it be continued as hitherto, with such efficiency as may be given by your honorable body.

(Signed:) Santa Clara Building and Loan Association, J. B. O'Brien, President; F. B. Kingston, Director; D. Henderson, Director; H. J. Alderman, Director; R. B. Roll, Director; and R. Menzel, Director.

Senator Martin presented the following memorial, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) Fred L. Hall, Eliza R. Geraldson, C. C. Barrett, Roy E. Darlington, Horace T. Adams, John Anderson, T. J. McGill, J. Howard Darlington, Percival Morris, Charlie Silva, K. H. McAdoo, L. J. Skidmore, U. K. McCreary, William Miller, Mrs. Ed. Katzenstein, W. M. Fowler, Joseph Smith, Mrs. J. H. Darlington, George D. Kellogg, Lavinia H. Kellogg, W. B. Allen, J. H. Darlington, J. E. Bergthold, J. H. Oldham, Adelia M. Slack, George H. Bisbee, M. D. Barrett, Harriet L. Culver, Mrs. Jackson, Miss Cosgrove, J. H. McAdoo, Ada McAdoo, G. F. Kuykendall, Mrs. M. M. Allen, Ida McAdoo, Jennie L. Culver, Emma Kelsey, Robinson I. T. Kelsey, Mrs. G. W. Morris, George W. Morris, Mrs. E. A. Wible, E. A. Wible, J. H. Carr.

Senator Simpson presented the following petition, and same was ordered printed in the Journal:

LOS ANGELES COUNTY, CALIFORNIA, February 7, 1895.

To Hon. C. M. SIMPSON:

The undersigned, voters of the Thirty-sixth Senatorial District, and Notaries Public in and for Los Angeles County, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees

would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) W. F. Poor, I. H. Preston, Franklin Jordan, L. G. Kellogg, George B. Beebe, Jas. E. Hannon, F. E. Lacey, E. K. Blades, B. W. Diehl, Charles J. Fox, Gail B. Johnson, F. R. Cummings, E. W. Little, O. H. Jones, M. J. McGarry, Anthony Schwamm, R. H. Chapman, H. B. Alexander, Frank J. Coopers, L. T. Graves, Charles Udell, John C. Bewley.

Senator Earl, by request, presented the following memorial, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

OAKLAND, CAL., February 6, 1895.

This is to certify that at the prayer meeting held one week ago, three hundred people united in the request for the passage of the bill proposed above.

Attest:

R. F. COYLE,

Pastor of First Presbyterian Church.

Also a similar petition signed by Mary Kilpatrick, Mary Hill, James Malloch, David Morrow, James H. Willson, Robert M. Harris, John H. Harris, William A. Harris, Chung Git, Mrs. James Malloch, Fung Tom, Leu Lung, and Loiow Bow.

COMMUNICATIONS.

Senator McGowan presented the following telegram, and same was ordered printed in the Journal:

WATSONVILLE, CAL., February 13, 1895.

To Hon. E. C. Voorheis, Senate:

As the representative of the organized farmers of California, kindly accept my thanks for your manly action on behalf of agriculture in introducing the Lubin proposition to the Assembly.

A. P. ROACHE,

Master California State Grange.

Senator Flint presented the following telegram, and same was ordered printed in the Journal:

WATSONVILLE, CAL., February 13, 1895.

To the Hon. Speaker of the Senate, State Capitol:

The Grange, the only conservative farmers' organization with a national head, is much gratified at the introduction of the Lubin proposition to your honorable body. May the combined action and wisdom of all representatives secure its enactment into laws, and thus save agriculture from ruin, for its death means the destruction of the Republic.

A. P. ROACHE,

Master California State Grange.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred Senate Bills Nos. 418, 438, 421, and 422, beg leave to report that the same have been correctly engrossed.

Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-seventh and forty-eighth fiscal years.

Also: Senate Bill No. 421—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

Also: Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

SMITH, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 93—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors—have had the same under consideration, and respectfully report the same back without recommendation.

ARAM, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 16, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 593—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, for the reason that, in the opinion of the committee, the same is unconstitutional.

Also: Senate Bill No. 202—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers, in all municipal corporations of the third and fourth classes in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 355—An Act to provide for the formation, government, operation, and dissolution of street lighting districts in any part of the State, outside of the limits of incorporated cities and towns, for the lighting of streets and roads, the calling and conducting of elections in such districts, the assessment, levy, and collection, custody, and disbursement of taxes therein—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 528—An Act to amend subdivision four of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 621—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and

designated as officers of the city and county, and establishing the compensation of such clerks and copyists—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on County Government and Township Organization.

SIMPSON, Chairman.

Senate Bills Nos. 355, 528, and 621 re-referred to Committee on County Government and Township Organization.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Retrenchment and Public Expenditures, to whom was referred Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 561—An Act to amend the Civil Code of the State of California by adding to part four, chapter one, division three, a new section, to be known as section one thousand seven hundred and forty-two, relating to contracts for the sale and future delivery of personal property—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

McGOWAN, Chairman.

Senate Bill No. 561 re-referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

MOTION.

On motion of Senator Langford, all messages from the Governor were postponed, and made a special order for to-morrow at three o'clock and thirty minutes P. M., after consideration of Assembly Bills on special file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of February, adopted the joint rules of the Senate and Assembly as reported by the Joint Committee on Rules and Regulations.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Also: Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Also: Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Also: Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Also: Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account.

Also: Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 617 referred to Committee on Finance.

Assembly Bills Nos. 459, 117, and 50 referred to Committee on Judiciary.

Assembly Bills Nos. 67, 176, and 116 referred to Committee on City, City and County, and Town Governments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of February, adopted Assembly Joint Resolution No. 16—Relative to the proposed Pacific cable.

Also: On February fourteenth adopted Assembly Concurrent Resolution No. 11.

Also: On February fifteenth adopted Senate Constitutional Amendment No. 8.

S. J. DUCKWORTH, Chief Clerk.

Assembly Joint Resolution No. 16 referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 11 referred to Committee on Constitutional Amendments.

Senate Constitutional Amendment No. 8 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Joint Resolution No. 8—Joint resolution relative to the annexation of the Republic of Hawaii.

S. J. DUCKWORTH, Chief Clerk.

Assembly Joint Resolution No. 8 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 778—An Act to amend an Act entitled "An Act to provide for the removal of the mineral cabinet from the State Library," approved March 9, 1887.

Referred to Committee on State Library and Rules.

By Senator Aram: Senate Bill No. 779—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Referred to Committee on Judiciary.

By Senator Franck: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Referred to Committee on Public Buildings other than Prison Buildings.

SENATE CONCURRENT RESOLUTION.

By Senator Hart: Senate Concurrent Resolution No. 14—Relative to the mode of removal of letter carriers, post office clerks, and railway postal clerks.

Referred to Committee on Federal Relations and Immigration.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the State Printer be and he is hereby directed to print, for the use of the Senate, five hundred copies of the list of Senate and Assembly Bills which amend identical sections of the Codes, as the same has been prepared by the Judiciary Committees.

Adopted.

MOTION.

Senator Henderson moved to take up Assembly messages out of order.

So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Committee Substitute for Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 44 ordered to enrollment.

MOTION.

Senator Ford moved that the Senate suspend the order of business and proceed to consider bills on the second-reading file.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 204—An Act to provide for the depositing of State and county funds in banks.

Passed on file, on motion of Senator Withington.

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Read second time, and ordered to engrossment and to a third reading.

MOTION.

Senator Ford moved that the further consideration of Senate Bill No. 36 be made a special order for Thursday next, immediately after reading the Journal.

So ordered.

Senate Bill No. 420—An Act to amend an Act entitled an Act to establish a Penal Code, relating to the crime of rape.

During the second reading of the bill, the following committee amendment was submitted:

After the word "of," in line one, section one, strike out the word "eighteen" and insert in lieu thereof the word "sixteen."

Amendment refused adoption.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 299—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 312—An Act entitled an Act to amend chapter ninety-seven of the Penal Code, concerning vagrants.

Passed on file.

Senate Bill No. 301—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Passed on file.

Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 49—An Act to amend section seventy-three of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Courts.

Passed on file.

Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Passed on file.

Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Passed on file.

Senate Bill No. 362—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Passed on file.

Senate Bill No. 300—An Act to amend section one thousand two hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead and the value thereof.

Passed on file.

Senate Bill No. 296—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Passed on file.

Senate Bill No. 298—An Act to amend section three hundred and

thirty-six of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Passed on file.

Senate Bill No. 357—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Passed on file.

Senate Bill No. 358—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Passed on file.

Senate Bill No. 359—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Passed on file.

Senate Bill No. 360—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Passed on file.

Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 342—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Read second time, ordered engrossed and on file for third reading.

At three o'clock and thirty minutes P. M. Senator Ford was called to the chair.

Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

During the second reading of the bill, the following committee amendment was submitted:

Amend title by striking out figures "3036," and inserting "1615"; also strike out "Political," and insert "Penal."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 481—An Act to regulate the practice of architecture.

During the second reading of the bill, the following committee amendments were submitted:

Amend by inserting in section one, line fourteen, after the word "architect," the following: "or some similar institute or association of architects."

Adopted.

Also: By inserting in section one, line sixteen, after the word "architects," the following: "or some similar institute or association of architects."

Adopted.

Also: By striking out of section five, line one, the word "within."

Adopted.

Also: By striking out of section five, line one, the words "from and."

Adopted.

Also: By striking out of section five, all of lines seven, eight, nine, ten, and eleven, excepting the word "persons" at the beginning of said line seven, and inserting the following: "*provided*, that nothing in this Act shall prevent the recovery of any fee or compensation by an architect residing out of the State of California, whose plans and specifications shall be accepted for a building or other structure within the State."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 443—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven of chapter seven of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Passed on file.

Senate Bill No. 156—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens and the transfer and satisfaction thereof.

Passed on file.

Senate Bill No. 157—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 158—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 380—An Act to amend section one thousand two hundred and sixty-three, by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom.

Read second time, and ordered to engrossment and to a third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Withington, Senate Bill No. 447—An Act to provide for the appointment of attorneys for foreign corporations on whom service can be made—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 208 was substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

During the second reading of the bill, the following committee amendment was submitted:

Amend title by adding "and to appropriate money for its expenses."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

At three o'clock and forty-five minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Senate Bill No. 421—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During the second reading of the bill, the following committee amendments were submitted:

In line nine of section one of printed bill, strike out the word "Marshal."

Adopted.

Also: At the end of line eleven of section one, insert the words "the Marshal shall be appointed by the Board of Trustees, and shall hold office during the pleasure of said Board."

Adopted.

Also: In line twelve, of section one, strike out the word "Marshal."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners.

Passed on file.

Senate Bill No. 60—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

During the second reading of the bill, Senator Gleaves moved to amend as follows:

Amend by striking out section three.

Adopted.

Also: Amend by striking out of section four, line one, the figure "4," and inserting the figure "3" in lieu thereof.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Charles A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Passed on file.

Senate Bill No. 344—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools.

During the second reading of the bill, the following committee amendments were submitted:

Amend by striking out of lines three and four of the printed bill, the words "who receives an annual salary of one thousand dollars or less."

Adopted.

Also: Insert in line five, after the word "Supervisors," the words "on presentation of itemized bill therefor."

Adopted.

Also: Strike out line six, and all the remainder of section one, and all of section two.

Adopted.

Also: Renumber the succeeding sections accordingly.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Beard, Senate Bill No. 5—An Act to amend section six hundred and two of the Penal Code—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 527 was substituted therefor on the file.

SECOND READING OF BILL.

Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Read second time, and ordered to engrossment and to a third reading.

GENERAL FILE—FIRST READING OF BILLS.

Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 6—Requesting the laying of a telegraph

cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Joint Resolution No. 7—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Passed on file.

Senate Joint Resolution No. 11—Relating to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands.

Passed on file.

Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

Passed on file.

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River, and other inland waters of the State.

Passed on file.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Senate Bill No. 635—An Act to promote the practical study of the sciences in the high schools of California.

Senate Bill No. 398—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the trustees; to fix term of office of trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Senate Bill No. 704—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to repeal section seven hundred and twenty-nine thereof, relating to actions for the foreclosure of mortgages.

Senate Bill No. 628—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Senate Bill No. 714—An Act to amend section fifty-three of the Code of Civil Procedure, relating to the judgments of the Supreme Court.

Senate Bill No. 585—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

Senate Bill No. 594—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to semi-annual returns by the Public Administrator, so as to make the cost of publishing such returns a charge against the county.

Senate Bill No. 624—An Act to amend section seven hundred and eighteen of the Civil Code, relating to leases of town or city lots.

Senate Bill No. 626—An Act to amend section seven hundred and seventeen of the Civil Code, relating to leases of agricultural land.

Senate Bill No. 637—An Act to repeal an Act entitled "An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General," approved March 31, 1891.

Senate Bill No. 651—An Act to amend section six hundred and forty-seven of the Penal Code.

Senate Bill No. 657—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure, relating to the manner of commencing actions in Justices' Courts.

Senate Bill No. 656—An Act to amend section four hundred and seven of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Senate Bill No. 659—An Act relating to the qualifications of persons to hold office, and of deputies under them, and of attachés of the Legislature other than Senators or Assemblymen.

Senate Bill No. 32—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Senate Bill No. 513—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Senate Bill No. 701—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Senate Bill No. 599—An Act to add a new section to the Civil Code of California, in relation to the remedial powers of Courts of justice and the terms and conditions of which relief may be granted, to be known and numbered as section three thousand two hundred and seventy-six of said Civil Code.

Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Senate Bill No. 602—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Senate Bill No. 598—An Act to amend section five hundred and twenty-six of the Code of Civil Procedure, relating to injunctions.

Senate Bill No. 498—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to sales by commissioner, under decree of foreclosure of mortgage.

Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Senate Bill No. 641—An Act to regulate and provide for a day of rest in certain cases.

Senate Bill No. 654—An Act to provide for the licensing of public accountants.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Gleaves, Senate Bill No. 231—An Act to give legal standing to and provide for the licensing of public accountants—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 654 was substituted therefor on the file.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Senate Bill No. 688—An Act to amend section two hundred and three of the Civil Code of California, relating to parent and child.

Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Senate Bill No. 722—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, relating to property taxes.

Senate Bill No. 720—An Act to amend section two hundred and fourteen of the Code of Civil Procedure, relating to the orders of Judges for drawing jurors.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Earl, Senate Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of California, relating to setting apart property from a decedent's estate for the use of the family—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 721 was substituted therefor on the file.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 708—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section one thousand four hundred and thirty-one thereof.

Senate Bill No. 618—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to certain cases when the place of trial may be changed.

Senate Bill No. 454—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Senate Bill No. 175—An Act to prevent damage from the overflow of artesian wells.

Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and to provide for the government of levee district number two, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof."

Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Senate Bill No. 545—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California.

Senate Bill No. 564—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Senate Bill No. 526—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Senate Bill No. 667—An Act to prevent Sabbath desecration, and to secure a weekly rest day.

Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association, all money received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That H. R. West be and is hereby appointed Copying Clerk of the Senate, at a per diem of eight dollars. The duty of this clerk is to assist, execute, and put in a legal shape for any of the Senators any bill, resolution, etc.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections, regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

During the second reading of the bill, the following committee amendments were submitted:

In lines eleven and twelve, section one, printed bill, strike out the words "any Magistrate having," and insert the words "a Court of competent."

Adopted.

Also: In line eighteen, same section, strike out the word "Magistrate," and insert the words "Court having jurisdiction."

Adopted.

Also: In line twenty-three, same section, strike out the word "Magistrate," and insert the word "Court."

Adopted.

Also: In line twenty-four, same section, strike out the word "him," and insert the word "it."

Adopted.

Also: Insert at the beginning of line twenty-eight the words "Section two."

Adopted.

Also: Strike out the word "section" in line twenty-eight, and insert the word "Act."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

RESOLUTIONS—(OUT OF ORDER).

By Senator McGowan:

Resolved, That Senate Bills Nos. 772 and 764 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and Senate Bills Nos. 772 and 764 declared cases of urgency by the following vote:

AYES—Senators Arms, Androus, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Holloway, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

MOTION.

Senator McGowan moved that the further consideration of Senate Bills Nos. 772 and 764 be made special orders for to-day at three o'clock and thirty minutes P. M., immediately after consideration of Governor's messages.

PETITION.

Senator Gesford presented the following petition, and same was ordered printed in the Journal:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution, appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) J. W. Annett, Mrs. John Akers, W. P. Clendenin, Mrs. Louisa Traylor, H. C. Traylor, Emmett Rickabaugh, T. L. Allison, M. L. Thompson, Mrs. W. B. McFae, Mary A. Smith, Alice O. Young, W. D. Rickabaugh, Mrs. W. D. Rickabaugh, A. J. Gunn, Viola Irwin, Mrs. Viola L. Boardman, Mrs. Katherine Wait, J. S. Piner, Mrs. J. S. Piner, Geo. Piner, Jr., J. P. Brown, W. C. Stanley, Mrs. E. Brown, Mrs. Wm. Harris, Estha Chapman, Mrs. E. L. Akers, Mrs. M. S. Cook, Nathaniel Cook, D. H. Colwell, Mrs. M. E. Speck, S. M. Siner, Sarah J. Irwin, W. A. Maxwell, W. H. Marshall, Willett Slocum, Mrs. M. C. Reeves, N. C. Reeves, Mrs. W. H. Mills, Mrs. A. B. Olson, J. A. Keithly, John Timothy, Willie Renfro, H. W. Merritt, Martin Sagerty, John Hendricks, Larkin Kelsey, Robt. L. Butler, Mrs. J. Krumdick, Mrs. Lark Kelsey, Mrs. Cora Cady, Orrie Young, D. W. Cooke, Mrs. J. A. Keithly, Mrs. M. F. Maxwell, S. F. Sylor, and Mrs. Phebe Speck.

COMMUNICATION.

President Flint presented the following communication, and same was ordered printed in the Journal:

JOINT COMMITTEE ON LAYING CORNER-STONE.)
N. S. G. W. HALL, SAN FRANCISCO, February 18, 1895. {

To THOMAS FLINT, JR., President pro tem. of the Senate of California:

DEAR SIR AND BROTHER: At a meeting of the above-named committee held Friday evening, 15th instant, I was directed to invite the honorable body of which you are the President, to attend the ceremonies of laying the corner-stone of the new Native Sons of the Golden West Hall, at San Francisco, Washington's Birthday, February 22, 1895.

W. W. SHANNON,
Secretary Joint Committee, 509 Clay Street.
LEWIS F. BYINGTON, Chairman Joint Committee.

PETITIONS.

Senator Gleaves presented the following petitions, and same were ordered printed in the Journal:

We, the undersigned, interested alike in the fostering and promotion of the mining interests of the State, our source of wealth and prosperity, see with regret a proposition in the Legislature to limit the field of usefulness of the Mining Bureau.

This institution is of great value to the miners, and is the only one fostered by the State representing their interests, and from which they are receiving marked benefits through its mineral exhibit, publications and reports, and by which the attention of capital is being called to investment in our mines; we therefore protest against its removal from its present convenient location, and we recommend an appropriation

sufficient to enable it to continue its great usefulness to the miners and people of the State at large.

(Signed:) A. B. Carlock, Martin C. Beem, J. A. Reynolds, J. W. Young, R. H. Lighthill, W. M. Lighthill, J. H. Wood, C. E. Davidson, John Waggoner, A. Glenn, E. J. Cummings, P. M. Shadduck, C. H. Hinchey, John Ginnas, J. E. Carlock, W. Delory, Geo. H. Vogan, Michael Lighthill, L. Marsac, S. E. Adams, J. E. Mathews, A. M. Sestanovich, Jacob Bills, J. M. Hoppee, H. J. Diggles, J. E. Crawford, all of Fort Jones, Siskiyou County.

Also the following:

MODOC COUNTY, CALIFORNIA, February 12, 1895.

To Hon. J. M. GLEAVES:

The undersigned, voters of the Second Senatorial District, and Notaries Public in and for the County of Modoc, State of California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) D. W. Jenks, E. E. Copeland, J. Madden, J. H. Stewart, and Clarence A. Raker.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ARAM, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of one hundred and sixty dollars and ninety-six cents, as per vouchers hereto attached, said warrant to be so drawn upon the contingent expenses of the Senate, and the Treasurer is directed to pay the same:

SACRAMENTO, February 12, 1895.

State of California to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

Feb. 3—Union Ice Co., 1,400 pounds ice.....	\$14 00
Feb. 4—Mrs. McCall, washing towels.....	3 75
Jan. 17—Sacramento Glass and Crockery Co., two 20-gallon filters.....	30 00
Jan. 10—Pacific Postal Telegraph Co., telegrams.....	2 71
Matting, and laying same.....	110 50
Total.....	\$160 96

Resolved, That Joseph Turner be and he is hereby appointed Rear Porter of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate, said appointment to date from January 7, 1895.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

The question being on the adoption of the resolution appropriating the sum of one hundred and sixty dollars and ninety-six cents.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Smith, and Toner—25.

NOES—Senators Pedlar, Whitehurst, and Withington—3.

MOTION TO RECONSIDER.

Senator Orr moved to reconsider the vote whereby the above resolution, appropriating one hundred and sixty dollars and ninety-six cents, was this day adopted.

MOTION.

Senator Orr then moved that the further consideration of the above resolution be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

The question next being on the adoption of the resolution appointing Joseph Turner as Rear Porter of the Senate.

The roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—32.

NOES—None.

Whereupon the President pro tem. declared the resolution appointing Joseph Turner as Rear Porter of the Senate adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 732—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for making of deeds on foreclosure of mortgages.

Also: Senate Bill No. 733—An Act to promote and secure freedom of speech in Courts of justice.

Also: Senate Bill No. 754—An Act to restrict gaming.

Also: Senate Bill No. 655—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Also: Senate Bill No. 507—An Act to add a new section to the Code of Civil Procedure of the state of California, to be numbered section seven hundred and fifty.

Also: Senate Bill No. 728—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872—reported by this committee on February fourteenth, without recommendation.

Your committee beg leave to amend its former report and now recommend the passage of the bill.

Also: Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 18, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 98—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to the establishment of high schools, and to provide for their support—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, because covered by Senate Bill No. 567.

Also: Senate Bill No. 132—An Act to amend sections one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand six hundred and seventy of the Political Code, relating to the public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

EARL, Chairman.

LEAVE OF ABSENCE.

Senator Arms was granted a leave of absence for the day, on motion of Senator Seawell.

RESOLUTION—(OUT OF ORDER).

By Senator Smith:

Resolved, That Senate Bill No. 426 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Ford moved a call of the Senate.

So ordered.

The President pro tem. directed the Sergeant-at-Arms to forthwith close the doors.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

MOTIONS.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

Lost.

At eleven o'clock and forty-five minutes A. M., Senator Orr moved to take a recess until two o'clock P. M.

Lost.

Senator Smith moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors of the Senate.

The President pro tem. then announced the vote upon the adoption of the resolution offered by Senator Smith, and declared the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Withington—29.

NOES—Senators Denison, Martin, Orr, and Voorheis—4.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 426—An Act to repeal an Act entitled “An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk,” approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Martin, Mathews, Mitchell, Orr, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 426 was this day passed.

REPORT OF SPECIAL COMMITTEE.

Senator Withington, from the Special Committee on Attachés, Contingent Expenses, and Mileage, presented the following report, and same was ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your special committee, to whom was referred the following resolution:

Resolved, That a special committee of three be appointed to investigate and report to the Senate at the earliest possible time:

1. On how many officers and attachés are necessary for the Senate to transact its business speedily, conveniently, and efficiently.

2. What positions should be filled by such officers and attachés, and during what portion of the session.

3. The salaries which should be paid to each.

4. The method of election or appointment of such officers and attachés, and whether the appointment of the same, other than the Secretary and Sergeant-at-Arms, should not be lodged in the Secretary and Sergeant-at-Arms.

5. Whether it is expedient to fix by law the number of such officers and attachés, their positions, and their duties and salaries.

6. The number of officers and attachés of the Senate at the present time, their positions and the duties of each, the names of the persons filling such positions, and the amounts of their compensation.

7. The probable total expense of the salaries of such officers and attachés for the present session, if continued until the close of the session.

8. What officers and attachés of the Senate, if any, have not been punctual and constant in attendance upon their daily duties, naming each officer or attaché who has not been so punctual and constant, and the time when absent from such duty.

9. What officers and attachés of the Senate, if any, can be dispensed with during the whole or any part of this session, specifying each, and the portion of the session, if less than the whole session.

10. What reduction can be made in the salaries of other officers and attachés, specifying each in detail.

Also: Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Have had the same under consideration, and respectfully report as follows:

The following is a list of the officers and attachés of the Senate, their positions and salaries:

OFFICERS OF THE SENATE.

F. J. Brandon, Secretary of Senate	\$8 00
Leslie F. Blackburn, Sergeant-at-Arms	8 00
E. J. Ensign, Assistant Secretary	8 00
R. Shaw, Assistant Secretary	8 00
E. F. Mitchell, Minute Clerk	8 00
Theodore A. Simpson, Journal Clerk	8 00
C. R. Mayhew, Engrossing Clerk	8 00
J. H. Dungan, Enrolling Clerk	8 00
John J. O'Connor, Assistant Sergeant-at-Arms	6 00
Miss Kittie McHugh, Postmistress	4 00
Mrs. Annie L. Blanchard, Assistant Postmistress	4 00
Andrew Walton, Porter	4 00
H. B. Brown, Porter	4 00
A. Grubbs, Porter	4 00
B. Androus, Page	3 00
Charles Orr, Page	3 00
George Berger, Page	3 00

ATTACHÉS AND EMPLOYÉS OF THE SENATE.

Rev. G. A. Ottmann, Chaplain	\$5 00
C. L. Pardee, Assistant Secretary	8 00
Chauncey Clark, Assistant Secretary	8 00
Geo. A. Leon, Assistant Secretary	8 00
C. S. McMullan, Assistant Minute Clerk	8 00
R. G. Falk, Assistant Minute Clerk	8 00
W. R. Porter, Assistant Minute Clerk	8 00
J. N. Larkin, Assistant Journal Clerk	8 00
C. C. Ortega, Assistant Journal Clerk	8 00
Orea Fairchild, Assistant Journal Clerk	8 00
S. A. Williams, Assistant Journal Clerk	8 00
Mrs. M. J. Rose, Assistant Engrossing Clerk	8 00
Mrs. Florence True, Assistant Engrossing Clerk	8 00
G. L. Henry, Assistant Engrossing Clerk	8 00
Maggie Harrison, Assistant Engrossing Clerk	8 00
Albert Hart, Assistant Engrossing Clerk	8 00
C. A. Fuller, Assistant Enrolling Clerk	8 00
J. M. Gleaves, Jr., Assistant Enrolling Clerk	8 00
C. A. Marston, Assistant Enrolling Clerk	8 00
C. J. Murphy, Assistant Enrolling Clerk	8 00
H. H. McKoon, Assistant Enrolling Clerk	8 00
A. E. Lindley, History Clerk	5 00
Merton Barnes, Assistant History Clerk	5 00
J. McComas, File Clerk	5 00
W. P. Calkins, Bill Clerk	5 00
A. S. Baker, Assistant Bill Clerk	5 00
W. W. Taylor, Assistant Bill Clerk	5 00
L. H. Pedlar, Bookkeeper to Sergeant-at-Arms	8 00
Edward Casey, Bookkeeper to Sergeant-at-Arms	8 00
W. J. Tuohy, Bookkeeper to Sergeant-at-Arms	8 00
Emil Klein, Mailing and Folding Clerk	5 00
Mrs. R. J. DeYoe, Assistant Mailing and Folding Clerk	5 00
H. D. Larzelle, Usher	5 00
W. A. Mills, Usher	5 00
F. B. Mitchell, Electrician	4 00
W. S. Runyon, Engineer	5 00
Chas. Newman, Assistant Sergeant-at-Arms	6 00
C. Kean, Messenger to State Printer	5 00
Chas. Cullen, Assistant Messenger to State Printer	5 00
O. J. Broadus, Watchman	4 00

W. H. Cox, Watchman.....	\$4 00
R. Farrell, Watchman.....	4 00
S. W. Metcalf, Watchman.....	4 00
Bert Morse, Watchman.....	4 00
H. H. Squire, Watchman.....	4 00
Fred. Werner, Watchman.....	4 00
A. A. Whipple (A. Noble, substitute), Watchman.....	4 00
Geo. T. Brown, Gatekeeper.....	4 00
I. N. Terrill, Gatekeeper.....	4 00
P. Trezise, Gatekeeper.....	4 00
C. D. Edwards, Porter to Sergeant-at-Arms.....	4 00
L. L. Wintringer, Porter to Sergeant-at-Arms.....	4 00
John Scully, Porter.....	4 00
S. S. Simon, Porter.....	4 00
M. J. Flynn, Doorkeeper.....	4 00
Robt. Hanford, Mail Carrier.....	4 00
Jos. Howell, Fireman.....	5 00
R. A. May, Bill Filer.....	5 00
W. Sampson, Messenger to Sergeant-at-Arms.....	4 00
Z. Walthal (J. Edner, substitute), Porter.....	4 00
Mrs. H. B. Weller, Janitress.....	5 00
W. Barron, Page.....	3 00
Frank Boek, Page.....	3 00
Waldo Hanscom, Page.....	3 00
Harry Kent, Page.....	3 00
W. W. Martin, Page.....	3 00
Ray McFarland, Page.....	3 00
Truman D. Thorpe, Page.....	3 00
E. L. Veirs, Page.....	3 00
Jos. Gardella, Page.....	3 00
Nora Andrews, Stenographer to Judiciary Committee.....	8 00
A. E. Boynton, Messenger to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.....	4 00
James Brandon, Sergeant-at-Arms to Committee on Banks and Banking.....	4 00
Geo. F. Bush, Messenger to Committee on Banks and Banking.....	4 00
Anna C. Busteede, Stenographer to Finance Committee.....	5 00
T. K. Carr, Sergeant-at-Arms to Judiciary Committee.....	5 00
H. Coleman, Sergeant-at-Arms to Committees on Corporations, and Prisons and Prison Buildings.....	4 00
Wm. Clendenin, Sergeant-at-Arms to Committees on Public and Swamp and Overflowed Lands, and Harbors, Rivers, and Coast Defenses.....	4 00
W. W. Collins, Sergeant-at-Arms to Committee on Counties and County Boundaries.....	4 00
J. H. Crum, Sergeant-at-Arms to Committee on Retrenchment and Public Expenditures.....	4 00
P. Devany, Sergeant-at-Arms to Committee on Public Buildings other than Prison Buildings.....	4 00
W. R. Ellis, Sergeant-at-Arms to Committee on Elections.....	4 00
C. Fowler, Messenger to Committee on Public and Swamp and Overflowed Lands.....	4 00
T. B. Gowens, Messenger to Committee on City, City and County, and Town Governments.....	4 00
P. J. Gray, Messenger to Committee on Military Affairs.....	4 00
S. H. Goodwin, Messenger to Committees on Corporations, and Prisons and Prison Buildings.....	4 00
Fred Hansted, Sergeant-at-Arms to Committee on Education and Public Morals.....	4 00
Morris Jones, Sergeant-at-Arms to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.....	4 00
E. O. Kincaid, Sergeant-at-Arms to Committee on Enrolled and Engrossed Bills.....	4 00
W. Levinson, Sergeant-at-Arms to San Francisco Delegation.....	5 00
T. E. McGeorge, Messenger to Judiciary Committee.....	5 00
J. W. McClure, Sergeant-at-Arms to Committees on Claims, and Federal Relations and Immigration.....	4 00
A. J. Moon, Messenger to Committee on Education and Public Morals.....	4 00
Joseph Mullen, Messenger to Committee on Public Buildings other than Prison Buildings.....	4 00
J. C. Pegrum, Sergeant-at-Arms to Committee on City, City and County, and Town Governments.....	4 00
Henry Peachey, Messenger to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.....	4 00
M. Seymour, Messenger to Committees on Irrigation and Water Rights, and Elections.....	4 00
F. Smith, Messenger to Committees on Claims, Federal Relations and Immigration, and Labor and Capital.....	4 00
Frank Smith, Porter to Judiciary Committee.....	4 00
J. D. Shine, Sergeant-at-Arms to Committee on Roads and Highways.....	4 00
Elbert R. Tiel, Porter Room 19, Labor and Capital.....	4 00

E. F. Voorheis, Sergeant-at-Arms to Committee on Constitutional Amendments	\$4 00
J. Walling, Jr., Messenger to Committee on Mines and Mining Debris	4 00
Miss Ida Woodworth, Messenger to Committee on Retrenchment and Public Expenditures	4 00
John Wise, Clerk to San Francisco Delegation	5 00
Harry Earl, Porter to Committee on Retrenchment and Public Expenditures	4 00
J. W. Roberts, Messenger to President of Senate	4 00
S. W. Earhart, Messenger to Committee on County Government and Township Organization	4 00
L. Newbaum, Stenographer to Committee on Retrenchment and Public Expenditures	5 00
Ed. Niles, Chief Bill Clerk	5 00
J. McAuliff, Assistant File Clerk	5 00

CLERKS OF COMMITTEES.

Geo. E. Springer	Agriculture, Horticulture, Viniculture, and Viticulture.
Mrs. E. B. Meade	Attachés, Contingent Expenses, and Mileage.
Harry Denison	Banks and Banking.
C. H. Martin	City, City and County, and Town Governments.
L. Montgomery	Claims.
J. F. O'Bierne	Commerce and Navigation.
A. A. DeLigne	Constitutional Amendments.
F. L. Kellogg	Corporations.
J. C. Wray	Counties and County Boundaries.
E. E. Carter	County Government and Township Organization.
P. M. Fisher and Geo. Byron	Education and Public Morals.
Miss Alice Watkins	Elections.
Chas. L. McGee	Enrolled and Engrossed Bills.
Will L. Eason	Federal Relations and Immigration.
Hugh M. Burke and Mrs. M. A. Aubrey	Finance.
Miss M. F. Babcock	Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.
Clara E. Abbott	Harbors, Rivers, and Coast Defenses.
M. V. Ashbrook	Hospitals.
Mrs. Lottie Seymour	Irrigation and Water Rights.
Geo. D. Squire and C. G. McGowan	Judiciary.
John W. Brackett	Labor and Capital.
M. E. Grippen	Mines, Drainage, and Mining Debris.
Jas. D. Wiseman	Military Affairs.
John F. Carrere	Public Buildings other than Prison Buildings.
L. G. Hartman	Public Printing.
A. S. Halliday	Public and Swamp and Overflowed Lands.
Z. F. Wharton	Retrenchment and Public Expenditures.
W. H. Rice	Roads and Highways.
Alfred Williams	State Library and Rules.
G. W. McIntyre	State Prisons and Prison Buildings.

All Committee Clerks receive five dollars per day except Judiciary and First Clerk of Finance, who receive eight dollars.

The number of such officers and employes is 163, of whom 19 are statutory; the daily pay of the statutory officers amounts to \$99, and of the attachés \$735, or a daily aggregate for both of \$834. If this were continued for the constitutional period of sixty days, the expenditure for the statutory officers for this session will amount to \$5,940, and for the attachés \$44,100, and the aggregate for the officers and employes for the same period, \$50,040. Excluding the statutory officers, the weekly payroll of the Senate attachés amounts to \$5,145; and for the information of the Senate, we annex a weekly payroll for the largest week for each session since the adoption of the Constitution, of both Senate and Assembly, as follows:

	Senate.		Assembly.	
	Number.	Amount.	Number.	Amount.
Twenty-fourth session, 1881	32	\$1,125 00	40	\$1,274 00
Twenty-fifth session, 1883	42	1,527 00	51	1,718 00
Twenty-sixth session, 1885	45	1,967 00	75	2,565 00
Twenty-seventh session, 1887	72	2,523 00	78	2,742 00
Twenty-eighth session, 1889	98	3,513 00	100	3,458 00
Twenty-ninth session, 1891	64	2,261 00	70	2,534 00
Thirtieth session, 1893	96	3,331 00	109	4,002 00
Thirty-first session, 1895	144	5,145 00	129	4,734 00

Together with the total contingent expenses for each session of each body, as follows:

	Senate.	Assembly.
Twenty-fourth session, 1881.....	\$12,727 60	\$19,500 00
Twenty-fifth session, 1883.....	15,000 00	22,057 00
Twenty-sixth session, 1885.....	20,831 00	34,967 46
Twenty-seventh session, 1887.....	37,654 34	38,934 13
Twenty-eighth session, 1889.....	53,453 21	60,645 14
Twenty-ninth session, 1891.....	36,072 37	42,850 13
Thirtieth session, 1893.....	43,966 08	59,990 08

An examination of these figures shows an increase of officers and contingent expenses out of proportion to the increase of population and business, and we believe it due to the cumbersome and unbusinesslike method by which the attachés of the Senate are appointed under existing laws.

We report that it is expedient to fix by law the number of such officers and employes, to be increased only in case of extraordinary emergency, and that their positions and salaries should be fixed by law, but we deem it inexpedient to fix their duties further than is now fixed by law, and in the substitute bill which we herewith report; but in order to put upon the records of the Senate more clearly what such duties are, and in compliance with the resolution under which we were appointed, we report the duties of the present officers and employes as follows:

SECRETARY OF THE SENATE.

The Secretary of the Senate's duties are: To call the roll, read the Journal, supervise all copying, and have supervision of all clerks and employes of the Senate.

There should be three Assistant Secretaries of the Senate; they should make file, register bills, put backing on bills, send bills to printer, and all other matters to printer whatever is necessary, and assist the Secretary.

The Assistant Secretaries of the Senate should be chosen by the Secretary of the Senate.

MINUTE CLERK OF THE SENATE.

The Minute Clerk and his assistants keep the minutes of all proceedings of the House. One Minute Clerk and two assistants are necessary.

SERGEANT-AT-ARMS.

The Sergeant-at-Arms has supervision of all attachés, such as porters, messengers, and attends to the supervision of keeping rooms, Senate Chamber, lobbies, etc.; is ordered to serve subpoenas for the Senate, or for any committee; is to have charge of bills after printing, and see to their distribution, and to the distribution of other printed matter.

JOURNAL CLERK.

The duties of the Journal Clerk are to compare the minutes with the Journal of each day's proceedings, correct the typographical errors, make note of and correct errors ordered by the Senate, before approval of the Journal.

For this office one assistant is all that is necessary.

ENGROSSING CLERK.

The duties of the Engrossing Clerk are to engross all bills not considered in the second reading. For the first part of the session all that is necessary is the Engrossing Clerk, but for the latter half of the session he should have three assistants.

ENROLLING CLERK.

The duties of the Enrolling Clerk are the same as that of the Engrossing Clerk, excepting bills are compared after enrollment instead of after engrossment. He needs but one assistant, until the latter part of the session, when he should have three assistants.

ASSISTANT SERGEANT-AT-ARMS.

The duties of the Assistant Sergeant-at-Arms are to announce messages from the Assembly and have charge of the center gate of the Senate.

POSTMISTRESS.

The Postmistress and assistant attend to the delivery of mail, selling stamps, etc.

PORTERS TO SERGEANT-AT-ARMS.

Clean and take care of Senate Chamber, hall, and the corridors adjacent thereto, and Sergeant-at-Arms' room, and, by custom, have never attended to committee-rooms unless appointed by committee or resolution.

PAGES.

Wait on Senators, President, and officers of the Senate. On duty during sessions, after sessions till six o'clock, and from seven to eight in the evenings, unless there are evening sessions. All are to remain during session. Five Pages are ample.

HISTORY CLERK.

Compiles a history of all Senate Bills, Constitutional Amendments, and Joint Resolutions. Must, on the last day of every week, take from the register the last action and condition of every bill.

BILL CLERK AND ASSISTANT.

Arrange and keep in order all bills when they arrive from the printer.

BOOKKEEPER TO SERGEANT-AT-ARMS.

Takes care of warrants, issues certificates to the Controller of actions taken by the Senate when resolutions are passed appropriating money, and makes out weekly payroll.

MAILING AND FOLDING CLERK.

Folds and prepares for mailing all papers, documents, etc., given him by the Senate to fold.

USHER.

A new position created last session. Duties not defined.

ELECTRICIAN.

Should be provided by the Secretary of State. Some one should be in charge of the wires.

Engineer should also be provided by the Secretary of State.

MESSENGER TO STATE PRINTER.

Conveys orders, bills, and matter to be printed to the printer from Secretary's desk.

WATCHMEN.

Duties are to watch the Senate Chamber, and Senators' and Officers' desks. Divided into day and night watches. Senate Chamber is open all night. There should be two on in the daytime and two at night.

GATEKEEPERS.

Three Gatekeepers, one at each gate in the Senate Chamber. Doorkeeper has charge of the gallery.

MAIL CARRIER.

Carries mail to and from post office.

FIREMAN.

Should be provided by Secretary of State. Office was created this term.

BILL FILER.

A new office created this session. Keeps bills in numerical order, and has them bound in book form for each Senator.

STENOGRAPHERS TO COMMITTEES AND SENATE.

There should be five stenographers to the committees and to the Senate and its officers.

MESSENGERS AND PORTERS TO COMMITTEE-ROOMS.

There should be a sufficient number of Porters allotted to care for committee-rooms, and should be termed "Committee-room Porters," and their duties prescribed, so that the rooms would be attended to by them. A messenger should be allotted to each two rooms, but where a Sergeant-at-Arms to a committee-room is appointed, messengers should be abolished.

SAN FRANCISCO DELEGATION.

Custom has always given them a clerk, but no Sergeant-at-Arms heretofore; none is necessary.

In our judgment the duties of Engrossing and Enrolling Clerk can be combined in one office, with the same number of assistants as are now allowed to each. This reduction can be made by virtue of the change in the law by which engrossed and enrolled bills are printed, and as the law now stands, these officers go over the same work.

The bill which we report will reduce the cost for the session, for the officers and attachés, from the present probable cost of \$59,940 for the session to \$15,510, or a saving of \$34,530 for a session.

We have had before us the Secretary, Sergeant-at-Arms, and other officers of the Senate, and have carefully examined into every case of reported absenteeism or neglect of duty, which have been numerous, but after an extended investigation we find nothing which in our opinion is worthy of the attention of the Senate. The cases of which complaint has been made are not due to the willful acts of individual employes, but are incident to a system of appointment which furnishes no adequate means for the determination of the number of employes necessary, their wages or their duties, and which in practice, although not in theory, make them subject to the will of individual Senators, and not the servants of the whole Senate and under the control of its chief officer. On the contrary, we think it strange that there should have been so much promptness and fidelity as has been shown on the part of the great bulk of employes, and especially on the part of those who see others appointed to positions with equal pay which are in fact sinecures, or virtually sinecures, the existence of which is enough to demoralize the service. We do not wish to be understood as saying that all the employes have been punctual and constant in attendance, but that all those who have not been disabled by sickness have been ready to do any duty assigned to them at the call of their superiors, and whatever absence there may have been from the Capitol building, it has not interfered with the performance of any duty.

We further report that so far as this session is concerned, such officers and attachés as are not specified in the accompanying bill can be dispensed with, and that the salaries of such officers and attachés as are reduced in said bill, should be reduced at this session.

We further report that the clerks and attachés of committees, with the exception of the clerks of a few important committees, to be hereafter specified, can be dispensed with upon the expiration of the time for the introduction of bills.

In the place of Senate Bill No. 391, we report the accompanying substitute bill, and recommend that it do pass.

WITHINGTON,
HOLLOWAY,
LANGFORD,
Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Biggy: Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Referred to Committee on Judiciary.

By Senator Holloway: Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Referred to Committee on Education and Public Morals.

By Senator Earl: Senate Bill No. 783—An Act to add one new section to the title of the Civil Code, relating to cemetery corporations, to be numbered section six hundred and sixteen.

Referred to Committee on Hospitals.

By Senator Gleaves: Senate Bill No. 784—An Act to amend section two thousand eight hundred of the Political Code of the State of California, relating to the purchase of toll roads by the counties within which they are situated.

Referred to Committee on County Government and Township Organization.

By Senator Voorheis: Senate Bill No. 785—An Act making an appro-

priation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Referred to Committee on Finance.

Also: Senate Bill No. 786—An Act to amend chapter twenty-nine, section one, of an Act approved March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval."

Referred to Committee on Constitutional Amendments.

By Senator Langford: Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Denison (by request): Senate Bill No. 788—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 789—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section fifty-eight, relating to township officers.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 790—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Referred to Committee on City, City and County, and Town Governments.

By Senator Simpson: Senate Bill No. 791—An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage, by providing for the punishment thereof.

Referred to Committee on Elections.

PETITION—(OUT OF ORDER).

Senator Mathews presented the following petition, and the same was ordered printed in the Journal:

WHEREAS, A bill has been introduced into the State Legislature which proposes to transfer the State Mining Bureau in San Francisco to the State University at Berkeley, thereby removing the extensive mineral collection, library, laboratories, etc., stopping all field work, including present important petroleum investigations now being made in this vicinity, and practically abolishing the Mining Bureau, which is the only institution maintained by the miners of California; and whereas, the closing of the State Mining Bureau as a separate and distinct institution would tend to convey the impression that California's prestige is on the wane as the leading producer of the precious metals in the United States, while it has a valued output of about twenty millions of dollars annually, and its mineral properties show of late a marked revival in gold mining interests; and whereas, stoppage of these sources of information upon mineral and mining matters particularly, hitherto relied upon, would be detrimental to the interests of the State, as during the past year five hundred and ninety-four letters of inquiry have been answered, two thousand and seventy specimens examined and passed upon, six hundred determinations made to parties presenting these specimens in person, and four thousand copies distributed of a valuable bulletin on mine timbering,

this work still being in active demand and greatly appreciated by miners; therefore, be it

Resolved, That in view of all that has been accomplished by the State Mining Bureau in the past, and the greater good it is capable of in the future upon the general lines hitherto followed, this chamber is in full accord with all of its work, and considers the change as proposed will be prejudicial to the best interests of the mining industry in this State.

Resolved, That copies of these resolutions be sent at once to our State Representatives at Sacramento, with a request for immediate action.

(Signed:)

GEO. C. PARSONS,
Chairman Committee on Mines.

At eleven o'clock and forty-eight minutes A. M., on motion of Senator Voorheis, the hour of recess was extended for ten minutes.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 785—An Act making an appropriation to pay the contingent expenses of the Senate, thirty-first session—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That Senate Bill No. 785 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 785 declared a case of urgency by the following vote:

AYES—Senators Aram, Androus, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 785—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Read first and second times, considered engrossed, read a third time, and the roll being called, was passed by the following vote:

AYES—Senators Aram, Androus, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock and ten minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDER—IMMEDIATELY AFTER RECESS.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

MOTIONS.

Senator Pedlar moved that the consideration of Assembly Bill No. 553 be postponed and made a special order for this day, at three o'clock and thirty minutes P. M., to follow special orders already set.

So ordered.

On motion of Senator Pedlar, Senate Bill No. 117 was withdrawn from Committee on Enrolled and Engrossed Bills, and re-referred to Committee on Hospitals.

SPECIAL FILE OF ASSEMBLY BILLS—THIRD READING.

Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read third time.

The question being on the final passage of Assembly Bill No. 374.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Langford, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, and Whitehurst—25.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At two o'clock and twenty minutes P. M. the Finance Committee were granted a leave of absence for a short time, on motion of Senator Voorheis.

Senator McAllister was granted a leave of absence for the day, by order of the President pro tem.

THIRD READING OF BILLS.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Read third time, and, on motion of Senator McGowan, was passed on file.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 159—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property—was, with the unanimous consent of the Senate, withdrawn.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 11—An Act to amend an Act entitled “An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars,” approved February 18, 1874.

Read third time.

The question being on the final passage of Assembly Bill No. 11.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, and Whitehurst—22.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 217—An Act to amend an Act entitled “An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank when the same does not exceed the sum of five hundred dollars,” approved February 18, 1874—was, with the unanimous consent of the Senate, withdrawn.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section two thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Read third time.

The question being on the final passage of Assembly Bill No. 27.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Smith, Toner, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read third time.

The question being on the final passage of Assembly Bill No. 14.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Dunn, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mathews, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—Senators Beard and Shine—2.

Title read and approved.

Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Read third time.

The question being on the final passage of Assembly Bill No. 145.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—28.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Seymour, Senate Bill No. 379—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California—was, with the unanimous consent of the Senate, withdrawn.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Passed on file.

Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Read third time.

The question being on the final passage of Assembly Bill No. 144.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Seymour, Senate Bill No. 378—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians—was, with the unanimous consent of the Senate, withdrawn.

At three o'clock and ten minutes P. M. Senator Orr was called to the chair.

SECOND READING OF BILL.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Section one of the bill read second time.

MOTION.

Senator Gleaves moved to amend as follows:

By striking out of section one, lines one and six, the word "ten," and inserting "eight" in lieu thereof.

AYES AND NOES.

Upon the motion to amend, the ayes and noes were demanded by Senators Seawell, Whitehurst, and Langford.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Orr, Seymour, Smith, and Withington—11.

NOES—Senators Beard, Biggy, Dunn, Fay, Franck, Gesford, Henderson, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Mitchell, Pedlar, Seawell, Shine, Simpson, Toner, and Whitehurst—20.

At three o'clock and twenty-five minutes P. M. President pro tem. Thomas Flint, Jr., resumed the chair.

Section two of the bill read second time.

MOTIONS.

Senator Smith moved to amend Assembly Bill No. 248, as follows:

By striking out of section two all after the word "defendant," in line three.

At three o'clock and twenty-nine minutes P. M., pending discussion on Assembly Bill No. 248, Senator McGowan moved that the consideration of the special orders set for three o'clock and thirty minutes P. M. this day, be postponed until the matter under discussion was disposed of.

So ordered.

Senator Withington moved that the further consideration of Assembly Bill No. 248 be postponed, and said bill referred to Committee on Judiciary.

AYES AND NOES.

Upon this motion, the ayes and noes were demanded by Senators McGowan, Biggy, and Toner.

The roll was called, and the motion lost by the following vote:

AYES—Senators Denison, Flint, Martin, Simpson, and Withington—5.

NOES—Senators Aram, Androus, Bert, Biggy, Dunn, Fay, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Pedlar, Seawell, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—23.

The question then recurring on the amendment offered by Senator Smith.

AYES AND NOES.

The ayes and noes were demanded by Senators Smith, Gesford, and Ford.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Aram, Beard, Flint, Ford, Gleaves, Holloway, Linder, Martin, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, and Smith—15.

NOES—Senators Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Franck, Gesford, Hart, Henderson, Hoyt, Langford, Mahoney, Mathews, McGowan, Mitchell, Seawell, and Whitehurst—19.

Section three read second time.

Section four read second time.

MOTION.

Senator Smith moved to amend section four as follows:

By striking out all of section four.

AYES AND NOES.

Upon the motion to amend, the ayes and noes were demanded by Senators Orr, Shippee, and Whitehurst.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Aram, Bert, Flint, Gleaves, Linder, Martin, Orr, Seymour, Shine, Shippee, Simpson, Smith, and Withington—13.

NOES—Senators Androus, Biggy, Dunn, Fay, Franck, Gesford, Henderson, Holloway, Langford, Mahoney, Mathews, McGowan, Mitchell, Seawell, Toner, and Whitehurst—16.

MOTIONS.

Senator Pedlar moved to amend section four as follows:

By striking out all the section after the word "be" in line two, and inserting in lieu thereof the words "guilty of a misdemeanor."

Lost.

Section five read second time.

Section six read second time.

Senator Earl moved to amend the bill as follows:

By striking out all of section three, on the ground that it is unconstitutional.

Amendment adopted.

Senator Ford moved to amend the bill as follows:

By striking out of section one, lines two and three, the words: "in any saw mill, shake mill, shingle mill, or logging camp," and inserting the following: "in any industry or occupation carried on by any corporation."

Senator Smith moved to amend the amendment as follows:

By striking out the word "corporation" and substituting the word "one."

Amendment to amendment accepted by Senator Ford.

The question then being on the adoption of the original amendment.

AYES AND NOES.

The ayes and noes were demanded by Senators Gleaves, Smith, and Ford.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Androus, Bert, Earl, Ford, Gleaves, Holloway, Linder, Seymour, Shine, Smith, Whitehurst, and Withington—12.

NOES—Senators Beard, Biggy, Denison, Dunn, Fay, Flint, Franck, Gesford, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, McGowan, Mitchell, Pedlar, Seawell, Simpson, Toner, and Voorheis—21.

MOTION.

Senator Ford moved to amend the bill as follows:

By inserting in line three of section one, after the word "State," the words "wherein operations are carried on throughout the year."

Pending discussion on above amendment, Senator Seawell moved that the further consideration of Assembly Bill No. 248 be made a special order for to-morrow, at three o'clock P. M.

So ordered.

SPECIAL ORDER—CONSIDERATION OF GOVERNOR'S MESSAGES.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 18, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February —, 1895. }

To the Senate of the State of California:

I hereby nominate E. L. Colnon, of the county of San Joaquin, to the office of State Harbor Commissioner, to succeed Charles F. Bassett, term expired, and respectfully ask your consent to the same.

JAMES H. BUDD, Governor.

MOTIONS.

Senator Ford moved that the Senate advise and consent to the appointment of E. L. Colnon, of the county of San Joaquin, to the office of State Harbor Commissioner to succeed Charles F. Bassett, term expired.

Upon the question, "Will the Senate advise and consent to the appointment of E. L. Colnon as State Harbor Commissioner?" by direc-

tion of the President pro tem. the roll was called, with the following result:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

Whereupon the President pro tem. announced the appointment of E. L. Colnon, of the county of San Joaquin, to the office of State Harbor Commissioner, duly confirmed.

On motion of Senator Voorheis, Senate Bills Nos. 104 and 669 were re-referred to the Committee on Finance, but to retain their place on file.

SPECIAL ORDERS.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Read first time, and ordered on file for second reading.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association, all money received by him, under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

Read second time, considered engrossed, read third time, and the roll being called, was passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mitchell, Orr, Seawell, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—28.

NOES—None.

Title read and approved.

FIRST, SECOND, AND THIRD READINGS OF BILLS.

Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

Read first and second times, considered engrossed, read third time, and the roll being called, was passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—29.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the Judiciary and Constitutional Amendments Committees be and they are hereby granted the use of the Senate Chamber to-morrow evening for the hearing of arguments upon the reorganization of the judiciary.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was re-referred the following report of said committee, submitted on February 12th:

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of sixty-seven dollars and twenty cents, as per voucher hereto attached, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same:

SACRAMENTO, February 9, 1895.

State of California to L. F. Blackburn, Sergeant-at-Arms, Senate, Dr.:

For expenses incurred, as follows: Serving subpoenas for Committee on Claims:

Chas. Thompson, 815 Ellis Street, San Francisco, Cal., witness, 168 miles.....	\$16 80
P. Deav, 815 Ellis Street, San Francisco, Cal., witness, 168 miles.....	16 80
L. F. Blackburn, Sergeant-at-Arms, mileage, service on Chas. Thompson, 168 miles.....	16 80
L. F. Blackburn, Sergeant-at-Arms, mileage, service on P. Deav, 168 miles.....	16 80

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following resolution, amendatory of the above:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of fifty dollars and forty cents, for mileage of Chas. Thompson and P. Deav, of San Francisco, witnesses, and also for fee of Sergeant-at-Arms for subpoenaing said witnesses.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Also the following:

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That H. R. West be and is hereby appointed Copying Clerk of the Senate, at a per diem of eight dollars. The duty of this clerk is to assist, execute, and put in a legal shape for any of the Senators any bill, resolution, etc.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

HART, Chairman.

The roll was called, and the report of the committee adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—25.

NOES—Senator Mahoney—1.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

Resolved, That A. F. Scott be and is hereby appointed assistant stenographer to the Judiciary Committee, at a per diem the same as the regular stenographer, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

At four o'clock and forty-four minutes P. M. Senator Voorheis moved to take a recess until seven o'clock and thirty minutes P. M. to-day.

Lost.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 20, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Biggy.

LEAVE OF ABSENCE.

Senator McAllister was granted a leave of absence for the day, on motion of Senator Fay.

At ten o'clock and thirty minutes A. M. Senator Orr was called to the chair.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF THE JOURNAL.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

The question being on the motion of Senator Burke to reconsider the vote whereby Senate Bill No. 239 was passed on February 13, 1895.

The roll was called, and the Senate, by the following vote, refused to reconsider the vote whereby Senate Bill No. 239 was passed on February 13, 1895:

AYES—Senators Beard, Biggy, Burke, Fay, Gesford, Gleaves, Martin, Mathews, Pedlar, Seawell, Simpson, Smith, Whitehurst, and Withington—14.

NOES—Senators Aram, Arms, Andrews, Bert, Denison, Dunn, Earl, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Seymour, Shine, Shippee, Toner, and Voorheis—20.

On motion of Senator Hoyt, Senate Bill No. 239 was ordered immediately transmitted to the Assembly.

PETITIONS.

Senator McGowan presented the following petitions:

To the Honorable Legislature of the State of California :

The undersigned, having learned with deep solicitude that it is proposed to ask your honorable body to enact a Uniform Liquor License Law, whereby our present local option right, as lodged with counties and municipalities, would be repealed, do most earnestly request that no such change be made, but instead that all be done to strengthen and simplify our present right of local government of the liquor traffic, and your petitioners shall ever so pray.

(Signed:) W. T. Smith and seventy-three others.

Also: A like petition by S. A. Nesbit and sixty-two others.

Also: A like petition by Rev. S. G. Gale and fifty-five others.

Also: A like petition from Hydesville, by H. B. Sparks and twenty-two others.

Also: A like petition from Hydesville, by T. P. Cooper and fifty-seven others.

Also: A like petition from Eureka, by E. T. Johnson and fifty-one others.

Also: A like petition from Esparto, by Rev. J. W. Baumgardner and thirty-five others.

Also: A like petition from Bucks, by J. Henry and fifty-six others.

Also: A like petition from Marysville, by B. F. Davis and two hundred and forty-four others.

Also: A like petition from Sutter City, by Mrs. Hilda Carlson and eighty-two others.

Also: A like petition from Live Oak, by Ben Hedger and forty others.

Also: A like petition from Wheatland, by J. W. Downing and twenty-one others.

Also: A like petition from Yolo, by David W. Colfee and twenty-nine others.

Also: A like petition from Winters, by Mrs. Fenley and ninety-nine others.

Also: A like petition from Winters, by Mrs. J. A. Henderson and thirty others.

Also: A like petition from Wheatland, by David F. Rodden and one hundred others.

Also: A like petition from Sutter City, by S. Moody and one hundred and seventy-nine others.

Also: A like petition from the Baptist Church of Woodland.

Also: A like petition from the Methodist Episcopal Church of Woodland.

Also: A like petition from the M. E. Church South of Woodland.

Also: A like petition from the Congregational Church of Woodland.

Senator Seawell introduced petitions of a like character, as follows:

From C. C. Hickok and sixty others of Colusa.

Also: A like petition from Colusa, by W. J. Crane and one hundred and eighty-eight others.

Also: A like petition from Potter Valley, by J. W. Spottswood and ninety-eight others.

Also: A like petition from Willits, by Jas. W. Sneed and forty-four others.

Also: A like petition from Colusa, by Rev. W. E. Miller and seventy-five others.

Also: A like petition from the People's Local Option Protective League of Butte County, signed by R. N. Davis and one hundred and forty-four others.

Also: A like petition from Ukiah, by J. Q. White and one hundred and ninety-two others.

Senator Franck also introduced like petitions on the same subject, as follows:

From Saratoga, by W. H. Cross and one hundred and eight others.

Also: A like petition from College Park, by J. B. Johnson and seventy-four others.

Also: A like petition from Santa Clara, by J. M. Charles and two hundred and thirty-six others.

Also: A like petition from Campbell, Santa Clara County, by Mrs. H. M. Parker and forty-nine others.

Also: A like petition from Santa Clara County, by J. W. Dinsmore and five hundred and three others.

Also: A like petition from Campbell, Santa Clara County, by A. Watson and ninety-six others.

Senator Hoyt introduced like petitions on the same subject, as follows:

From the W. C. T. U., by H. A. Chittenden and one hundred and forty others.

Also: A like petition from Dr. D. L. Lucas and seventy others.

Also: A like petition from Suisun Valley, by D. Britzens and eighty-six others.

Senator Seymour introduced like petitions on the same subject, as follows:

From Rialto, by C. W. Parker and one hundred and seventy-eight others.

Also: A like petition from Garden Grove, by N. J. Burton and twenty-three others.

Also: A like petition from Highlands, by P. J. Benson and one hundred and sixty-six others.

Senator Gleaves introduced a petition on the same subject from Siskiyou County, by J. Beard and two hundred and two others.

Senator Gesford introduced like petitions on the same subject, as follows:

- From Lakeport, by A. M. Reynolds and thirty-eight others.
From Lower Lake, by L. Evans and forty-one others.
From Napa, by J. H. McCullough and twenty-two others.
From Lakeport, by W. M. Winters and eighty-five others.
From J. J. Benton and sixty-two others.
From the City Council of the city of Napa, by four ayes and one no.
From the Christian Church of Napa, one hundred and thirty-two in number.
From ninety-one of the Faculty and students of Napa College.
From members and congregation of M. E. Church of Napa.
From W. F. Moyer and eight others of Napa.
From Kelseyville, by W. A. Maxwell and one hundred and two others.
Senator Smith introduced like petitions on the same subject, as follows:
From Paso Robles, by S. P. Sitton and fifty-five others.
From Shandon, San Luis Obispo County, by Ray P. Brubaker and forty-two others.
From Adelaide, by Wm. Burden and fifty-nine others.
From citizens of San Miguel, in mass meeting assembled, and signed by S. M. Chase, President, and J. J. Coyle, Secretary.
From Mrs. J. J. Coyle and twenty-seven others of San Miguel.
From George Sonnenberg and one hundred and twenty others of San Miguel.
From J. G. Sigler and two hundred and thirty-four others.
From E. T. Cesper and two hundred and six others of Tulare City.
Senator Hart introduced like petitions on the same subject, as follows:
From Elk Grove, by E. E. Polhemus and fifty-five others.
From Florin, by T. E. Davies and one hundred and forty-two others.
Senator Shippee introduced like petitions on the same subject, as follows:
From Anti-Protective League of Butte County, by J. F. Tout and eight hundred others.
From Palermo, by J. E. Schram and fifty-three others.
From West Butte, by P. J. Wilbur and twenty-two others.
From Wyandotte, by H. S. Thatcher and forty-two others.
Senator Fay introduced like petitions on the same subject, as follows:
From J. C. Thompson and forty others.
From San Francisco, by Wm. M. Levensaler and one thousand and forty-nine others.
Senator Holloway introduced like petitions on the same subject, as follows:
From Green Valley, by F. W. Maddocks and seventy-two others.
From Wm. Cowperthwaite and seventy-four others.
From Healdsburg, by J. W. Sylvester and ninety-nine others.
From J. Lewis and twenty-one others.
From Santa Rosa, by T. C. Decoe and two hundred and sixty-five others.
Senator Flint introduced like petitions on the same subject, as follows:
From Hollister, by W. Dennett and one hundred and ninety others.
From Santa Cruz, by J. M. Laslie and two hundred and seventy-three others.
From Pacific Grove, by Mrs. Allen and sixty-nine others.
From Castroville, by Robert Stirling and one hundred and four others.

Senator Shine introduced a like petition on the same subject, as follows:

From Merced County, by G. Garibaldi and two hundred and forty-three others.

Senator Withington introduced a like petition on the same subject, as follows:

From San Diego, by G. H. Limebeck and ninety-three others.

Senator Bert introduced like petitions on the same subject, as follows:

From San Mateo County, by R. H. Hatch and one hundred and sixty-four others.

From Santa Cruz County, by Edith M. Johnson and one hundred and thirty-one others.

Senator Earl introduced like petitions on the same subject, as follows:

From Berkeley, by William C. Leonard and two hundred and eighty others.

From Niles, by F. H. Maar and forty-four others.

From Livermore, by A. Weymouth and forty-five others.

From Alameda, by F. S. Brush and two hundred and sixteen others.

From Golden Gate, by J. C. Wills and fifty-six others.

From Haywards, by Thomas B. Russell and fifty-four others.

From Oakland, signed by Mrs. C. Whitelaw and one thousand two hundred and fifty-three others.

From William Hirsch and seventy others.

Senator Pedlar introduced like petitions on the same subject, as follows:

From Fowler, by Mary Spiers and ninety-nine others.

From Selma, by Joseph M. Smith and fifty-six others.

From Sanger, by Mrs. H. P. Holmes and twenty-four others of the Woman's Baptist Home Mission Circle.

From Independent Order of Good Templars of Sanger, by Dora Lane and forty-seven others.

From Reedley, by Kate Sheibley and one hundred and twenty-two others.

From Fresno, by Jake Jolly and five hundred and fifty others.

From Easton, by Almira Brooks and one hundred and nine others.

From Selma, by Mrs. H. Woodcock and twenty-seven others.

Senator Gleaves presented the following communication, which was ordered printed in the Journal:

To the honorable the Senate and Assembly of the State of California:

GENTLEMEN: The undersigned, a member of the State Board of Harbor Commissioners, respectfully represents:

That it has been publicly charged that the piling and concrete work now being done for the State, at the ferry landing in San Francisco, is not well done; that the material furnished is not good material, and that the work as a whole is unfit for the purposes intended.

It is therefore just to the people, and fair to myself, that a competent and non-partisan examination be made of the work, and a correct report of the same submitted to your honorable bodies.

I therefore most respectfully pray that you select a number of disinterested and eminent engineers, whose duty it shall be to immediately examine this work and report to your honorable bodies fully as to its character, the object being that the exact truth may be made known.

Very respectfully,

C. F. BASSETT.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture for the State Normal School at Los Angeles.

Also: Senate Bill No. 669—An Act to appropriate the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, and Sloyd tools, for the use of the State Normal School at Los Angeles.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 640—An Act relative to public health in cities of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Committee Substitute for Assembly Joint Resolution No. 7—Relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass; and, at the request of Senator Withington, Senate Bill No. 252 was withdrawn from the consideration of the committee, and we herewith return Senate Bill No. 252 to the Senate.

MAHONEY, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 255—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 571—An Act to create the Sacramento Valley Drainage District, and defining its boundaries, and to provide for the government and management thereof; for the appointment of officers, and prescribing their compensation; for the levy, equalization, and collection of assessments; for sale of property for non-payment of assessments; for appointment of commissioners to fix assessments; for the construction and maintenance of canals, waterways, and other drainage works to drain the lands of said district, and secure the same from overflow; conferring powers and imposing duties upon the Commissioner of Public Works in relation to said drainage district; and providing for the judicial examination of the organization of the district, and prescribing a statute of limitations—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HOYT, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 520—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith.

Also: Senate Bill No. 642—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

FRANCK, Chairman.

Senate Bills Nos. 520 and 642 re-referred to Committee on Finance.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 702—An Act to amend "An Act to prevent the trespassing of animals upon private property in the counties of Santa Barbara, San Luis Obispo, and Monterey," approved February 6, 1864—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

SHIPPEE, Chairman.

Senate Bill No. 702 re-referred to Committee on Judiciary.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 755—An Act for the incorporation of societies for the enforcement of the law and the prosecution of public offenders—have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

At ten o'clock and forty-five minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifteenth of February, passed Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Also: Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

S. J. DUCKWORTH, Chief Clerk.

Assembly Constitutional Amendment No. 11 referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 6 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Also: Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Also: Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 157 ordered on file, on motion of Senator Ford.

Assembly Bill No. 392 referred to Committee on Corporations.

Assembly Bill No. 271 ordered on file, on motion of Senator Bert.

Assembly Bill No. 526 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighteenth inst., refused a second reading to Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledgor.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighteenth day of February, passed Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Also: Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 35 and 226 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 785—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 785 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 604—An Act to provide for the payment by municipalities of claims arising out of the improvement of streets, sidewalks, and sewers therein—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Also: Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 679—An Act to amend the law regarding the office of Mayor of each city of more than forty thousand of population, in counties of the second and third classes.

Also: Senate Bill No. 680—An Act to amend the law regarding the Board of Education of each city of more than forty thousand of population, in counties of the second and third classes.

Also: Senate Bill No. 681—An Act to amend the law regarding the office of Mayor's Clerk in each city of more than forty thousand of population, in counties of the second and third classes.

Also: Senate Bill No. 682—An Act to amend the law regarding the City Council of each city of more than forty thousand of population, in counties of the second and third classes.

Have had the same under consideration, and respectfully report the same back, and recommend that said bills do not pass.

SIMPSON, Chairman.

WITHDRAWAL OF BILL.

On motion of Senator Hart, Senate Bill No. 571—An Act to create the Sacramento Valley Drainage District, and defining its boundaries, and to provide for the government and management thereof; for the appointment of officers, and prescribing their compensation; for the levy, equalization, and collection of assessments; for sale of property for non-payment of assessments; for appointment of Commissioners to fix assessments; for the construction and maintenance of canals, waterways, and other drainage works to drain the lands of said district, and secure the same from overflow; conferring powers and imposing duties upon the Commissioner of Public Works in relation to said drainage district, and providing for the judicial examination of the organization of the district, and prescribing a statute of limitations—was, with the unanimous consent of the Senate, withdrawn.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 792—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Referred to Committee on Finance.

By Senator Mitchell: Senate Bill No. 793—An Act to amend an Act, approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 794—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 795—An Act to amend section three of "An Act to regulate contracts in behalf of the State in relation to erections and

buildings," approved March 23, 1876, and an Act amendatory thereof, approved March 31, 1891.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Toner: Senate Bill No. 796—An Act to amend section three thousand four hundred and ninety-four of the Political Code of this State, relating to school lands, price, payment, when to be made.

Referred to Committee on Education and Public Morals.

By Senator Bert: Senate Bill No. 797—An Act to provide for the change of grade, and for regrading and improving, in conformity with such change, the streets, lanes, alleys, courts, and places within municipalities.

Referred to Committee on City, City and County, and Town Governments.

Also (by request): Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Referred to Committee on Claims.

INTRODUCTION OF SENATE CONSTITUTIONAL AMENDMENT.

By Senator Linder: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article eleven thereof, relative to revenues and taxation, and license.

Referred to Committee on Judiciary.

SPECIAL FILE.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed on file.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to third reading.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

During the second reading of the bill, the following committee amendment was submitted:

Amend by striking out of section one, line one, the words "six hundred and fifty-two dollars and fifty-six cents," and inserting the following: "five hundred and thirty-eight dollars and seventy-eight cents."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read second time, and ordered to engrossment and to third reading.

FIRST READING OF BILLS.

The following bills were read the first time, and ordered on file for second reading:

Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

SECOND READING OF BILLS.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Read second time, and ordered to engrossment and to third reading.

Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

During the second reading of the bill, Senator Gesford moved to amend as follows:

Amend section two, printed bill, by inserting after the word "Act," in line three of said section, the words "and the Controller is hereby authorized to draw his warrant for said amount, and the Treasurer is hereby directed to pay the same."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Hart, Senate Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 456 was substituted therefor on the file, for the reason that it is identical with Senate Bill No. 418.

SECOND READING OF BILL.

Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Read second time, and ordered on file for third reading.

THIRD READING OF BILLS.

Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the passage of Senate Bill No. 438.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Langford, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Seawell, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—29.

NOES—None.

Title read and approved.

Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

Read third time.

The question being on the passage of Senate Bill No. 121.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Read third time.

The question being on the passage of Senate Bill No. 422.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

RE-REFERENCE.

Senator Orr moved that Senate Bill No. 545—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California; Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California; and Senate Bill No. 564—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers—be re-referred to Committee on Corporations, but to retain their place on file.

So ordered.

POSTPONED.

Senator Hart, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 201 was passed, moved that the further consideration of Senate Bill No. 201 be made a special order for next Monday, immediately after reading the Journal.

So ordered.

SENATE CONSTITUTIONAL AMENDMENTS.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution, of the State of California.

Passed on file.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed on file.

WITHDRAWAL AND SUBSTITUTION.

On motion of Senator McGowan, Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to article nine of the Constitution, section seven, relative to the free distribution of State text-books of the common schools of the State of California—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 89 was substituted therefor on the file.

SECOND READING OF BILL.

Senate Bill No. 89—An Act authorizing the formation of county municipal insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

During the second reading of the bill, Senator McGowan moved to amend as follows:

By striking out of section six, line seven, all after the word "loss," to and including the word "company," on line thirteen.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Passed on file.

Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to article nine of the Constitution, section six, relative to the public school system.

Passed on file.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Earl: Senate Bill No. 799—An Act to prevent and forbid the owners of street railroads to require deposit from employes.

Referred to Committee on Judiciary.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 81—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors-at-law.

Passed on file, on motion of Senator McGowan.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

The bill having been read the third time on a previous day, the question was on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 249—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section three hundred and ten, defining cruelty to animals and providing for its punishment.

Passed on file, to retain its place, on motion of Senator Bert.

Senate Bill No. 73—An Act to amend section one thousand three hundred and seventy-six of the Civil Code.

Passed on file, in absence of the author.

Senate Bill No. 80—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several courts of this State.

Passed on file, to retain its place, on motion of Senator McGowan.

Senate Bill No. 262—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Passed on file, but to retain its place.

Senate Bill No. 203—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Passed on file, but to retain its place.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

The bill having been read the third time on a previous day, the question was on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Henderson, Holloway, Linder, Martin, Mathews, McGowan, Mitchell, Seawell, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Passed on file.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

The bill having been read the third time on a previous day, the question was on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Martin, McGowan, Mitchell, Seawell, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—26.
NOES—None.

Title read and approved.

Senate Bill No. 38—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read third time, and passed on file, to retain its place, on motion of Senator Ford.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Earl, Senate Bill No. 294—An Act entitled “An Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors”—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 347 was substituted therefor on the file.

THIRD READING OF BILL.

Senate Bill No. 347—An Act entitled “An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Read third time.

At eleven o'clock and forty-eight minutes A. M., on motion of Senator Ford, the hour of recess was extended until the matter under discussion was disposed of.

The question being on the passage of Senate Bill No. 347.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—32.
NOES—None.

Title read and approved.

RECESS.

At twelve o'clock and ten minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Orr was granted a leave of absence for the day, on account of sickness, on motion of Senator Simpson.

Senator Arms was granted a leave of absence for the day, on account of sickness, on motion of Senator Gesford.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Passed on file, temporarily, on motion of Senator McGowan.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Passed on file.

THIRD READING OF BILL.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Read third time.

MOTION.

Senator Simpson moved that Assembly Bill No. 132 be referred to Senator Bert, as a special committee of one, with instructions to amend the bill as follows:

Strike out all of section two, and insert the following:

SEC. 2. The articles of incorporation and by-laws to be adopted shall be filed with the Insurance Commissioner, and by him referred to the Attorney-General. If the Attorney-General certifies that said documents conform to the provisions of this Act and of the law of the State of California, and said corporation has conformed to all the requirements of this Act, the Insurance Commissioner shall issue a license to said corporation to transact a fire insurance business in the county in which it is organized and upon the conditions prescribed herein.

The articles of incorporation and charter or certificate obtained by any county fire insurance company operating under the provisions of this Act shall be subject to control and modification by the Legislature of the State of California.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 132, with instructions to amend, respectfully reports the same back, amended as per instructions.

BERT, Committee.

AYES AND NOES.

Upon the question of the adoption of the report of the special committee of one, the ayes and noes were demanded by Senators Biggy, Dunn, and McGowan.

The roll was called, and the report of the committee of one rejected by the following vote:

AYES—Senators Beard, Bert, Biggy, Burke, Denison, Fay, Ford, Gesford, Gleaves, Martin, Mathews, Pedlar, Simpson, and Whitehurst—14.

NOES—Senators Aram, Androus, Dunn, Franck, Hart, Henderson, Holloway, Langford, Mahoney, McGowan, Mitchell, Seawell, Seymour, Shine, Smith, Toner, and Withington—17.

MOTION.

Senator McGowan moved that the further consideration of Assembly Bill No. 132 be made a special order for Monday next, immediately after reading the Journal.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Bert: Senate Bill No. 800—An Act to appropriate four thousand four hundred and eighty-eight dollars and forty-two cents as compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Referred to Committee on Finance.

Also: Senate Bill No. 801—An Act to appropriate five thousand six hundred and twenty-eight dollars and seventy-five cents as compensation to the "La Voce del Popolo," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Referred to Committee on Finance.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Read third time.

The question being on the final passage of Assembly Bill No. 28.

The roll was called, and the bill passed by the following vote:

AYES—Senators Beard, Biggy, Burke, Denison, Earl, Fay, Flint, Franck, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 179—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor—was, with the unanimous consent of the Senate, withdrawn.

At two o'clock and fifty-nine minutes p. m. Senator Ford was called to the chair.

MOTION.

At three o'clock p. m. Senator Seawell moved that the consideration of Assembly Bill No. 248, which was a special order for that hour, be postponed temporarily.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Read third time.

The question being on the final passage of Assembly Bill No. 32.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Earl, Flint, Franek, Gesford, Gleaves, Henderson, Holloway, Linder, Martin, Mathews, McGowan, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—26.

NOES—Senator Langford—1.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 187—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women—was, with the unanimous consent of the Senate, withdrawn.

THIRD READING OF BILL.

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Read third time.

The question being on the final passage of Assembly Bill No. 29.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Earl, Fay, Franek, Gesford, Gleaves, Holloway, Hoyt, Linder, Mathews, Mitchell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—22.

NOES—Senators Burke and Martin—2.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Simpson, Senate Bill No. 174—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to execution of judgments after lapse of five years—was, with the unanimous consent of the Senate, withdrawn.

At three o'clock and fifteen minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

THIRD READING OF BILL.

Senator McGowan called up for consideration Assembly Bill No. 35, temporarily passed on file.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

The bill having been read the third time on a previous day, the question was on the final passage of the bill.

MOTION.

Senator McGowan moved that Assembly Bill No. 35 be referred to Senator Simpson, as a special committee of one, with instructions to amend by striking out the whole of said bill, and inserting the following:

An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and seventy-two of the Civil Code is hereby amended to read as follows:

Section 172. The husband has the management and control of the community property, with the like absolute power of disposition, other than testamentary, as he has of his separate estate; *provided, however,* that he cannot make a gift of such community property or convey the same without a valuable consideration, unless the wife, in writing, consent thereto; *provided further,* that no conveyance of the real property of the community shall be valid, unless the wife consent in writing thereto, such consent being evidenced by her joining in the conveyance, or by her separate conveyance.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 35 with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

AYES AND NOES.

Upon the question of the adoption of the report of the special committee of one, the ayes and noes were demanded by Senators Smith, Withington, and Whitehurst.

The roll was called, and the report of the committee of one adopted by the following vote:

AYES—Senators Androus, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Seymour, Shine, Simpson, and Toner—25.

NOES—Senators Aram, Beard, Fay, Seawell, Shippee, Smith, Whitehurst, and Withington—8.

Assembly Bill No. 35 ordered printed as amended.

Senator Seawell called up the special order set for three o'clock p. m. this day, namely, consideration of Assembly Bill No. 248, which was temporarily postponed.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

The question being on the adoption of the amendment offered by Senator Ford on yesterday, as follows:

By inserting in line three of section one, after the word "State," the words "wherein operations are carried on throughout the year."

Senator Ford was granted unanimous consent to withdraw the above amendment, and offered the following amendment in lieu thereof:

Amend by inserting in line three of section one, after the word "State," the words "wherein operations are, or may be, carried on throughout the year."

Pending discussion on above amendment, at three o'clock and fifty-five minutes p. m. Senator Gesford was called to the chair.

The question being on the motion of Senator Ford to amend Assembly Bill No. 248.

AYES AND NOES.

The ayes and noes were demanded by Senators Dunn, Biggy, and Mathews.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced Senator Seawell moved a call of the Senate.

So ordered.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

The Secretary announced that Senators Langford and Voorheis were the only absentees without leave.

The Acting President directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Smith moved that further proceedings under the call of the Senate be dispensed with.

Senator McGowan moved to lay the motion of Senator Smith upon the table.

Senator Smith withdrew his motion that further proceedings under the call of the Senate be dispensed with.

The Sergeant-at-Arms appeared with the absentees, who, on motion of Senator McGowan, were excused.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The Acting President then announced the vote upon the adoption of the amendment offered by Senator Ford, and declared the amendment adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Fay, Ford, Gleaves, Hart, Holloway, Martin, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—21.

NOES—Senators Biggy, Burke, Dunn, Franck, Gesford, Henderson, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, and Toner—14.

Senator Earl was excused from voting on adoption of above amendment, and gave the following reasons:

MR. PRESIDENT: I am financially interested in a sawmill property in this State, and I feel that it is improper for me to vote on the motion before the Senate. Yesterday I tendered an amendment to the bill by striking out section three thereof, on the ground that the section was unconstitutional. The proponents of the bill admitted the point was well taken and accepted the amendment. But on any matter like the motion before the Senate, destructive to the life of the bill, I feel that it would not be proper for me to vote. I therefore ask to be excused.

At four o'clock and twenty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

MOTION TO RECONSIDER.

Senator Seawell moved to reconsider the vote whereby the amendment offered by Senator Ford was this day adopted.

Senator Smith moved to lay the motion of Senator Seawell on the table.

AYES AND NOES.

Upon the motion to lay on the table the ayes and noes were demanded by Senators Biggy, Toner, and Seawell.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Fay, Flint, Ford, Gleaves, Holloway, Martin, Pedlar, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—18.

NOES—Senators Biggy, Dunn, Franck, Gesford, Henderson, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Seawell, Seymour, and Toner—15.

POINTS OF ORDER.

Senator McGowan arose to a point of order, and stated that if the motion of Senator Smith to lay on the table carried the amendment with it, it did not carry the bill.

Senator Ford arose to a point of order, and stated that if the motion of Senator Smith to lay on the table carried with it the amendment, it must also carry the bill.

The President pro tem. reserved his decision on the above points of order until to-morrow morning immediately after reading the Journal.

MOTION.

Senator Voorheis moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 935 referred to Committee on Finance.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 935—An Act making appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That Assembly Bill No. 935 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 935 declared a case of urgency by the following vote:

AYES—Senators Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read first, second, and third times, and the roll being called, was passed by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Gleaves:

Resolved, That a sub-committee of three members of the Committee on Military Affairs be and are hereby authorized to visit San Francisco, in conjunction with the Committee on Military Affairs of the Assembly, for the purpose of inspection.

AYES AND NOES.

Upon the adoption of the resolution, the ayes and noes were demanded by Senators Gleaves, Henderson, and Mitchell.

The roll was called, and the resolution lost by the following vote:

AYES—Senators Androus, Bert, Gleaves, Henderson, Seymour, Toner, and Withington—7.

NOES—Senators Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Linder, Shine, Simpson, Smith, Voorheis, and Whitehurst—14.

Senator Fay moved that Senate Bill No. 753 be taken up out of order and read the first time.

So ordered.

FIRST READING OF BILL—(OUT OF ORDER).

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Read first time.

MOTION.

Senator McGowan moved that the further consideration of Senate Bill No. 753 be made a special order for to-morrow morning, immediately after reading the Journal.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 729 -An Act requiring county officers to file a monthly expense account—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 317—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Withington:

Resolved by the Senate, the Assembly concurring, That the State Printer be instructed to cause to be prepared and printed an edition of thirty thousand copies of the general laws, amendments to the Codes, and proposed Constitutional Amendments passed at

this session, the same to be stitched, but not bound or covered; and to be distributed under the direction of the Secretary of State to the County Clerks of the various counties, in proportion to the population of the different counties, for free distribution to the electors thereof.

Referred to Committee on Public Printing.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section five of article two thereof, relative to the manner of voting.

Have had the same under consideration, and respectfully report the same as correctly enrolled.

SMITH, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 770—An Act to promote the purity of elections by the addition of three new sections, to be known as sections forty-six, forty-seven, and forty-eight—have had the same under consideration, and respectfully report the same back without recommendation.

ARAM, Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 766—An Act to prohibit the officers and employes of banks and banking corporations from borrowing the funds thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DENISON, Chairman.

REPORT OF SPECIAL COMMISSION.

Senator Shine, from the Temporary Joint Commission on Roads and Highways, presented the following report, which was ordered read and printed in the Journal:

During the reading of the report Senator Bert moved that further reading of the report be dispensed with, as same would be printed in the Journal.

So ordered.

To the Senate and Assembly:

Your Joint Temporary Commission on the California Road Policy begs leave to report progress.

It organized with Senator Shine as Chairman, and conforming to the resolution creating it, added to the Commission Mr. J. L. Maude, C.E., and Mr. H. E. Fairman, R.E., who, the legislative members of the Commission desire to say, have served it assiduously, skillfully, continuously, and with commendable public spirit without cost to your honorable bodies.

We have had the advice and witnessed the proceedings of the State Road Convention, which was called to order and addressed by his Excellency the Governor. It was a representative body in the highest sense, containing many ex-legislators, County Supervisors, engineers, agriculturists, business men, skilled road builders, carriers, miners, and other public-spirited citizens.

Its recommendations and petitions have had our earnest consideration and so far as we have deemed it wise, we have carried them into measures herewith submitted.

We have also had the advice and counsel of our Hon. State Senator Agent and Engineer John H. Reed formerly United States Department of Agriculture, who came to the State in invitation of the convention and by consent of Hon. J. Sterling Morton, Secretary of Agriculture.

After request and without cost to your bodies, General Stone accompanied a section of your Committee to the State grounds at Fresno. And there examined the vast deposits of road material lying by the State with a view to its utilization for the benefit of the people in a very large territory, and with a view of possible extension of such benefit to all parts of the State, and by extension utilization of other deposits; and the question of transportation.

With our surveyor General Stone also visited and consulted with railway carriers concerning their transportation of road material.

We have had many sessions and hearings and we desired to appear before you. We desire to say that the testimony of our expert Federal Advisor referred to, who has knowledge of all road systems and systems utilized by the State, and the testimony presented by your committee is well made by other legislatures and in several States has already resulted in most gratifying economic advances. His conclusion was that the measures we propose to advise are wise and are the only present solution of the important questions before you, and in view of the urgent your Commission concurs.

That the measures are in part:

1. That the present road policy of the State is in many respects faulty and uneconomical, resulting in great loss to the people and the testimony before us is that it results also in much waste of public money.

2. That the wise promotion of road construction and administration is one of the most urgent before your honorable bodies and calls upon you for the exercise of the most careful and wise procedure.

3. That the complete correction of error in the existing system is not possible by present legislation, owing to conflicting views among the people, leading to information by your committees and other causes, but to be accomplished by gradual advances.

4. That progress is made and accomplished that the measures before you will greatly advance the material interests of the people; will stimulate values; will lessen taxation; will encourage desirable settlements; will stimulate investment; promote the interests of labor; reduce the cost of transportation of products and supplies; improve rural conditions; advance business interests; promote production; and augment the net gains of industry.

5. That a prime necessity is the dissemination of correct information concerning economic road construction; expenditure regarding road material; inquiry into its cost of production and delivery; inquiry into causes for present unreasonable cost of road construction and advice to the people and authorities concerning the economic methods in road road promotion.

In accordance with these conclusions, we advise passage of a measure herewith submitted by the Roads and Highways Committee for us, for the early and easy utilization of road material of the State on the basis of cost-protection, by employment of State power and labor and by cost-delivery for transportation to the people. This is not to be undertaken until such time as essentials are reasonably assured to be verified, nor until guarantee is given of a sufficient demand for the material to justify the inauguration of the work.

Secondly, that the sum of money necessary to that end, and which will give employment to large numbers of workers and will enable road construction to be engaged in without absolute increasing debt or monetary increasing present road taxation, shall be returned to the State in installments to be derived from a slight percentage added to the cost of production, exclusive of power labor but inclusive of other cost. The plan thus calls for an advance rather than an absolute appropriation.

Thirdly, that a temporary Highway Board be created for the purpose of promoting the study and execution referred to, and to advise and aid communities in road construction, and to disseminate information, and to make information into uneconomic methods and secure new facts with conclusions to the next session of the legislature. We are convinced that the necessary expense of making such study and experience to such work will be a wise investment, and will result in great gain to the taxpayers of California.

Fourth, the several minor measures submitted to us by the Roads and Highways Committee of our recent meeting present authority in the hands of Supervisors, by local action bring several aids to the people and generally look to immediate reforms, as for instance, in the matter of wage rates, the employment of local engineering skill or of practical road builders in advanced lines, the creation of truck roads at general cost, and the wider distribution of the cost of road construction and maintenance enabling the people. When they so desire, to list all property for assessment for such purposes.

Your committee desires further to consider this important matter, and later to report again to your bodies, we leave to you for further time, and in the meanwhile to advise the members of the measures submitted, which we have so long and carefully inquired into, without material change thereof.

Respectfully submitted

J. H. SHINE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 802—An Act to appropriate four thousand and seventy-five dollars and fifty cents as compensation to "Italian Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894.

Referred to Committee on Finance.

By Senator Gesford: Senate Bill No. 803—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Referred to Committee on Judiciary.

Also: Senate Bill No. 804—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments.

Referred to Committee on Judiciary.

By Committee on Roads and Highways: Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Ordered on file.

By Committee on Roads and Highways: Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Ordered on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 302—An Act to provide for prosecuting attorneys of Police Courts in cities having more than fifty thousand and under one hundred and fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

ADJOURNMENT.

At five o'clock P. M., on motion of Senator Bert, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 21, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNAL.

The Journal of Monday, February 18, 1895, was approved.

LEAVE OF ABSENCE.

Senator McAllister was granted a leave of absence for the day, on motion of Senator Fay.

The President pro tem. stated that he had not yet finished examining authorities on the points of order raised on yesterday, and would render a decision later in the day.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF JOURNAL.

Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice-plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the

inmates of the Preston School of Industry, at Ione, Amador County, California.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

MOTION.

Senator Withington moved that the consideration of the above special orders be postponed, and made special orders for Tuesday next, immediately after reading the Journal.

So ordered.

SPECIAL URGENCY FILE—THIRD READING OF BILLS.

Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Read third time.

The question being on the passage of Senate Bill No. 462.

The bill was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Langford, Linder, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

Title read and approved.

Senate Bill No. 289—An Act providing for the improvement of streets and roads, and the construction of sidewalks, outside of the limits of incorporated cities and towns in road districts where the population is at least five hundred, and the manner of ascertaining said population.

Read third time.

MOTION.

Senator Beard moved that Senate Bill No. 289 be referred to Senator Orr, as a special committee of one, with instructions to amend the bill as follows:

Beginning on line two, section one, insert words "lying outside of the limits of an."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 289, with instructions to amend, respectfully reports the same back, amended as per instructions.

ORR, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended, and on file for passage.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file, at request of author.

THIRD READING OF BILLS.

Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Read third time.

The question being on the passage of Senate Bill No 229.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read third time.

The question being on the passage of Senate Bill No. 20.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Denison, Senate Bill No. 20 was ordered transmitted immediately to the Assembly.

THIRD READING OF BILLS.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Read third time.

The question being on the passage of Senate Bill No. 42.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Mitchell, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

At eleven o'clock A. M. Senator Ford was called to the chair.

Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read third time.

MOTION.

Senator Bert moved that Substitute for Senate Bills Nos. 45, 52, 54, and 77 be referred to Senator Gesford, as a special committee of one, with instructions to amend the bill as follows:

By striking out all on line thirty-three, page twenty, of section fifty-three, after the word "State," and thence down to and including all of line thirty-nine, page twenty-one, being the words following, viz.: "*provided further*, that in case of voluntary insolvency, no debtor shall receive a discharge from his liabilities unless the value of his estate surrendered to the Sheriff, receiver, or assignee, shall be reasonably worth twenty-five per cent of the aggregate amount of the claims proven against the estate. The value of such estate, if disputed by any creditor, having proven his claim, shall be determined by three appraisers, to be appointed by the Court, who shall be governed by the provisions of the Code of Civil Procedure for the appraisement of the estates of deceased persons."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Substitute for Senate Bills Nos. 45, 52, 54, and 77, with instructions to amend, respectfully reports the same back, amended as per instructions.

GESFORD, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Gesford moved that Substitute for Senate Bills Nos. 45, 52, 54, and 77 be referred to Senator Biggy, as a special committee of one, with instructions to amend the bill as follows:

Transpose sections seven and eight.

Strike out of section sixteen, line six, the word "ten," and insert the word "eleven."

Strike out of section seventeen, line twenty-three, the word "and," and insert the word "on" in lieu thereof.

Strike out of section nineteen, line two, the word "seven," and insert the word "eight" in lieu thereof.

Strike out the last sentence in section twenty-two, and insert the following in lieu thereof: "If any action or proceeding at law or in equity, in which the insolvent is defendant, is pending at the time of the adjudication, the assignee may defend the same in the same manner and with like effect as it might have been defended by the insolvent. In suits prosecuted or defended by the assignee, a certified copy of the assignment made to him shall be conclusive evidence of his authority to sue or defend."

Insert between the words "which" and "action," in line seven, section twenty-two, the word "an."

Strike out of section twenty-nine, line seven, the word "eight," and insert the word "seven."

Insert on line three, section thirty-nine, after the word "partnership," the words "qualified as provided for in section nine of this Act."

Strike out the word "profit," on line ten, of section forty, and insert the word "property."

Strike out of section forty-three, lines two and three, the word "liabilities," and insert the word "liability."

Strike out of section forty-eight, line eight, the words "Clerk of the Court," and insert the word "Sheriff" in lieu thereof.

Insert immediately after the word "debtor," in line twelve of section forty-nine, the words "or of any creditor."

Strike out of section fifty-one, on line six, the word "for," and insert the word "by."

So ordered. .

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Substitute for Senate Bills Nos. 45, 52, 54, and 77, with instructions to amend in accordance with the motion of Senator Gesford, respectfully report the same back, amended as per instructions.

BIGGY, Committee.

Report of committee of one and amendments adopted.
Bill ordered printed as amended and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Also: Senate Bill No. 420—An Act to amend an Act entitled an Act to establish a Penal Code, relating to the crime of rape.

Also: Senate Bill No. 299—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to when homestead is subject to execution.

Also: Senate Bill No. 263—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court.

Also: Senate Bill No. 30—An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872.

Also: Senate Bill No. 339—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Also: Senate Bill No. 340—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Also: Senate Bill No. 342—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Also: Senate Bill No. 481—An Act to regulate the practice of architecture.

Also: Senate Bill No. 157—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Senate Bill No. 158—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Also: Senate Bill No. 380—An Act to amend section one thousand two hundred and sixty-three, by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom.

Also: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses.

Also: Senate Bill No. 421—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An

Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 60—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Also: Senate Bill No. 344—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to public schools.

Also: Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Also: Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

SMITH, Chairman.

MOTIONS.

On motion of Senator Burke, all bills passed by the Senate this morning were ordered transmitted to the Assembly immediately.

Senator Aram moved that the rules be suspended, and that Assembly messages be now taken up.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington—31.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth of February, adopted Assembly Concurrent Resolution No. 13—Relative to adjournment from Thursday, February 21, 1895, until Monday, February 25, 1895.

S. J. DUCKWORTH, Chief Clerk.

Assembly Concurrent Resolution No. 13 was read, as follows:

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Resolved by the Assembly, the Senate concurring. That when the Senate and Assembly adjourn on Thursday, February 21, 1895, that they adjourn until Monday, February 25, 1895, at the regular hours of meeting in their respective houses.

MOTION.

Senator Aram moved that the Senate concur in Assembly Concurrent Resolution No. 13.

AYES AND NOES.

The ayes and noes were demanded by Senators Simpson, Gleaves, and Burke.

The roll was called, and the Senate concurred in Assembly Concurrent Resolution No. 13 by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Earl, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Mitchell, Seymour, Shine, and Toner—20.

NOES—Senators Beard, Biggy, Burke, Dunn, Fay, Gleaves, Orr, Pedlar, Seawell, Simpson, Smith, Voorhels, Whitehurst, and Withington—14.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the nineteenth day of February, passed Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Also: Senate Bill No. 207—An Act to regulate the sale of milk.

Also: Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Also: Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Also: Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of court reporters and the misconduct of judicial officers.

Also: Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Also: Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Also: Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties of one hundred thousand inhabitants and over," approved March 12, 1885.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 230, 51, 207, 310, 228, 196, 225, 122, 1, 155, 198, and 28 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth day of February, passed Assembly Joint Resolution No. 5—Joint resolution relative to a public building at Eureka.

Also: Assembly Joint Resolution No. 17—Joint resolution relative to the National Convention.

S. J. DUCKWORTH, Chief Clerk.

Assembly Joint Resolution No. 5 referred to Committee on Public Buildings other than Prison Buildings.

Assembly Joint Resolution No. 17 referred to Committee on Federal Relations and Immigration.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 794—An Act to prohibit the wearing of hats or bonnets at theaters or any public place of amusement.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 794 referred to Committee on Education and Public Morals.

SPECIAL URGENCY FILE—(RESUMED)—SECOND AND THIRD READINGS
OF BILLS.

Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Androus, Bert, Biggy, Denison, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Read second time, considered engrossed, read third time.

MOTION.

Senator Hart moved that Senate Bill No. 570 be referred to Senator Biggy, as a special committee of one, with instructions to amend the bill as follows:

Strike out of section three, line three, the word "he," and insert in lieu thereof "the Superintendent of State Printing."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 570, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIGGY, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended and on file for passage.

SECOND READING OF BILL.

Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

During the second reading of the bill, the following committee amendment was submitted:

After the word "dams," in line twenty-one, section one, printed bill, insert the word "pondings."

Amendment adopted.

Senator Henderson moved the adoption of the following amendments:

Insert in line eleven, section three, printed bill, after the word "aqueducts," the words "reservoirs, tunnels."

Adopted.

Insert in line twelve, printed bill, same section, after the word "ducting," the words "or storing."

Adopted.

Insert after the word "machinery," in line thirty, section six, printed bill, the following words: "or necessary to reach any property used for public purposes."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

MOTION.

At eleven o'clock and forty-five minutes A. M., on motion of Senator Earl, the hour of recess was extended until two o'clock P. M.

RESOLUTION—(OUT OF ORDER).

By Senator Shine:

Resolved, That Senate Bill No. 148 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 148 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—31.

NOES—None.

MOTIONS.

Senator Seymour moved that the consideration of Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties—be made a special order for Tuesday next, immediately after reading the Journal.

So ordered.

Senator Seymour moved that the consideration of Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction,

and defining their powers and duties—be made a special order for Wednesday next, immediately after reading the Journal.

So ordered.

Senator Orr moved that the consideration of Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners—be made a special order for Monday next, at three o'clock and thirty minutes P. M.

So ordered.

Senator Voorheis moved that the rules be suspended, and that the Senate take up Assembly messages out of order.

So ordered, by unanimous consent of the Senate.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth of February, refused third reading of Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Joint Resolution No. 19—Relative to depression of United States agricultural affairs.

S. J. DUCKWORTH, Chief Clerk.

MOTIONS.

Senator Voorheis moved that the rules be suspended, and that the Senate consider forthwith Assembly Joint Resolution No. 19, without reference to committee.

Senator McGowan moved to amend by taking a recess until two o'clock P. M. to-day.

POINT OF ORDER.

Senator Mathews raised the point of order that the motion of Senator McGowan was out of order.

The Acting President declared the point of order well taken.

The question then recurring on the adoption of the motion of Senator Voorheis.

The roll was called, and the motion lost by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Denison, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, Mitchell, Shippee, Smith, and Voorheis—20.

NOES—Senators Aram, Arms, Burke, Dunn, Earl, Fay, Henderson, Martin, McGowan, Orr, Pedlar, Shine, Simpson, Toner, Whitehurst, and Withington—16.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 15—Relative to the selection of

experienced engineers to examine and report on the piling and concrete work now being done for the State at the ferry landing in San Francisco.

S. J. DUCKWORTH, Chief Clerk.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth of February, passed Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Also: Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Also: Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Also: Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

Also: Adopted Assembly Concurrent Resolution No. 14—Relative to the distribution of "Resources of California" by the State Board of Trade.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 373, 55, 182, and 242 ordered to enrollment.

Assembly Bills Nos. 470 and 567 referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 14 referred to Committee on Public Printing.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Holloway, Senate Bill No. 580—An Act declaring the Petaluma River navigable and a public way from and to certain points herein named—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 687 was substituted therefor on the file.

RESOLUTION—(OUT OF ORDER).

By Senator Holloway:

Resolved, That Senate Bill No. 687 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 687 declared a case of urgency by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Shine, Voorheis, Whitehurst, and Withington—29.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Voorheis, Whitehurst, and Withington—27.
NOES—None.

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

During the second reading of the bill, Senator Hoyt moved to amend as follows:

By inserting in section one, line eight, the words "not less than" after the word "serials."

Amendment adopted.

Also: Amend by inserting in section one, line ten, the word "either" after the words "payable in"; also strike out the word "of" after the word "coin," and insert the following: "or other lawful money of."

Amendment adopted.

Also: Amend by inserting in section one, line eleven, the words "as may be expressed in said bonds," after the words "United States," on said line.

Amendment adopted.

Also: Amend by striking out of section one, line sixteen, the words "in gold coin of the United States," after the words "value thereof."

Amendment adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Passed on file, in absence of the author.

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

Passed on file, in absence of the author.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representa-

tives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Ford, Franck, Gleaves, Hart, Henderson, Linder, Mahoney, Martin, Mitchell, Orr, Seawell, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—23.

NOES—Senators Biggy, Fay, Holloway, and Hoyt—4.

Title read and approved.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for the conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Read first time.

During second reading of the bill, Senator Orr moved to amend as follows:

By striking out of title, line one, the words "payment of," and insert instead "payment to the heirs of."

Amendment adopted.

Also: Amend by striking out of section two, line one, the words "in favor of," and inserting the following: "in favor of the heirs of."

Amendment adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

SECOND AND THIRD READINGS OF BILLS.

Senate Bill No. 221—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 369—An Act to amend an Act entitled an Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Earl, Fay, Ford, Franck, Gleaves, Henderson, Hoyt, Linder, Mathews, Orr, Pedlar, Shine, Shippee, Simpson, Voorheis, and Whitehurst—22.

NOES—Senator Langford—1.

Title read and approved.

At twelve o'clock and fifty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Read first and second times, and considered engrossed.

MOTION.

Senator Simpson moved that the further consideration of Senate Bill No. 162 be made a special order for Monday next, at three o'clock and thirty minutes P. M., following the special order already set for that hour.

So ordered.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883 (St. 1883, p. 24).

Read first and second times, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Dunn, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the County of Fresno from three to two.

Read third time.

MOTION.

Senator Pedlar moved that Senate Bill No. 119 be referred to Senator Shippee, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out sections two, three, four, and five, and inserting in place thereof the following:

SEC. 2. This Act shall take effect at the expiration of the term of the Judge of said Court whose term first expires; and in case a vacancy occurs in any term prior to the first Monday after the first day of January, 1897, this Act shall take effect immediately.

SEC. 3. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 119, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHIPPEE, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended, and on file for passage.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

Read first time.

During the second reading of the bill, the following substitute, suggested by the Committee on Judiciary, was submitted and read:

SUBSTITUTE FOR SENATE BILL No. 544.

An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Penal Code of the State of California is hereby amended by adding a new section thereto, to be known as section one thousand and eighty-nine, to read as follows:

Section 1089. Whenever, in the opinion of the Judge of a Superior Court about to try a defendant against whom has been filed any indictment or information for a felony, the trial is likely to be a protracted one, the Court may cause an entry to that effect to be made in the minutes of the Court, and thereupon, immediately after the jury is impaneled and sworn, the Court may direct the calling of one or two additional jurors, in its discretion, to be known as "alternate jurors." Such jurors must be drawn from the same source, and in the same manner, and have the same qualifications as the jurors already sworn, and be subject to the same examinations and challenges; *provided*, that the prosecution shall be entitled to one, and the defendant to two peremptory challenges to such alternate jurors.

Such alternate jurors shall be seated near and take the same oath as the jurors already selected, and must attend at all times upon the trial of the cause, and for a failure so to do, are liable to be punished for contempt; they shall obey the orders of and be bound by the admonition of the Court upon each adjournment of the Court, and except as hereinafter provided shall be discharged upon the final submission of the case to the jury. If, before the final submission of the case, a juror die, or become ill, so as to be unable to perform his duty, the Court may order him to be discharged, and draw the name of an alternate, who shall then take his place in the jury-box, and be subject to the same rules and regulations as though he had been selected as one of the original jurors.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Substitute adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

THIRD READING OF BILL.

Committee Substitute for Senate Bill No. 195—An Act to provide for removal of human remains from cemeteries.

Read third time.

The question being on the passage of Committee Substitute for Senate Bill No. 195.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Fay, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, Mitchell, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—29.

NOES—None.

Title read and approved.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Read first and second times, considered engrossed, and read third time.

MOTION.

Senator Withington moved that Senate Bill No. 199 be referred to Senator Ford, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out of title, lines one, two, and three, the words, "to dispose of surplus water along the line of their water supply outside of their corporate limits."

Also: Amend by striking out all of section one.

Also: Amend by striking out of section two, line one of printed bill, the word and figure, "Sec. 2," and inserting "Section 1."

Also: Amend by striking out of section three, line one, printed bill, the figure "3," and inserting the figure "2."

Also: Amend by striking out of section three, line three, the words "sections one and two," and inserting the following: "Section one."

Also: Amend by striking out of last section (second, number three by error), line one, the word "immediately," and inserting the following: "and be in force from and after its passage."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 199, with instructions to amend, respectfully reports the same back, amended as per instructions.

FORD, Committee.

Report of committee of one and amendments adopted.

Bill ordered printed as amended, and on file for passage.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read first time.

During the second reading of the bill, the following amendments were submitted by the Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game:

Amend by striking out of section one, line one, the word "fifty," and inserting the following: "sixty."

Also: Amend by striking out of section three, line five, the words "twelve thousand," and inserting the following: "fourteen thousand five hundred."

Also: Amend by striking out of section four, line five, the words "twelve thousand," and inserting the following: "fourteen thousand five hundred."

Also: Amend by striking out of section five, line five, the words "twelve thousand," and inserting the following: "fourteen thousand five hundred."

Also: Amend by striking out of section six, line five, the words "twelve thousand," and inserting the following: "fourteen thousand five hundred."

By order of the President pro tem., the amendments submitted by the Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, were not read, and, on the recommendation of the Committee on Finance, said amendments were not adopted.

The Finance Committee submitted the following amendment to Senate Bill No. 148:

Amend by striking out of section seven, line one, the words "and be in force from and after its passage," and inserting the following: "immediately after the County of Mariposa shall have appropriated and deposited with the State Treasurer the sum of seventy-five thousand dollars for the construction of said road."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Senator Langford called up for consideration—

SENATE JOINT RESOLUTION No. 8.

Joint resolution asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

WHEREAS, It is of vast interest to the State of California that said island should be under the control of said State for general railroad terminal purposes; and whereas, the said island is not now of use to the harbor of San Francisco, or the Government of the United States, either for military or naval defense, owing to its exposed position and the general use of long-distance ordnance by the naval powers of the earth.

Resolved by the Senate, the Assembly concurring. That our Senators in Congress be instructed, and our Representatives requested, to urge the Congress of the United States to cede to the State of California the said island of "Yerba Buena," commonly known as "Goat Island," situate in the bay of San Francisco, to be used by said State, and its grantees or assignees forever, solely for general railroad terminal purposes.

Resolved, That his Excellency the Governor of California be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

Senate Joint Resolution No. 8 read.

MOTION.

Senator Burke moved that the consideration of Senate Joint Resolution No. 8 be made a special order for Tuesday next, at three o'clock and thirty minutes P. M., to follow special orders already set for that time.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

MOTION.

Senator Voorheis moved that Assembly Bill No. 617 be now read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Read first time.

MOTION.

Senator Voorheis moved that the further consideration of Assembly Bill No. 617 be made a special order for Monday next, at two o'clock P. M.

So ordered.

PETITIONS.

Senator Voorheis presented the following petitions, which were ordered printed in the Journal:

We, the undersigned, interested in mining in Bodie, Mono County, enter a vigorous protest against the abolition of the State Mining Bureau, or its transfer to the State University.

The Mining Bureau is the only State institution maintained in the interest of the miners of California, and is doing useful and satisfactory work. It should be continued as it is, and a liberal appropriation given to enable it to still further help the mining interests of California, which need fostering just as much as those of an agricultural nature.

(Signed:) C. B. Donnelly and sixty others.

Also the following:

We, the undersigned, interested in mining in Lundy, Mono County, enter a vigorous protest against the abolition of the State Mining Bureau, or its transfer to the State University.

The Mining Bureau is the only State institution maintained in the interest of the miners of California, and is doing useful and satisfactory work. It should be continued as it is, and a liberal appropriation given to enable it to still further help the mining interests of California, which need fostering just as much as those of an agricultural nature.

(Signed:) R. T. Pierce and forty-five others.

Senator Martin introduced the following petitions, which were ordered printed in the Journal:

To the Honorable Legislature of the State of California:

The undersigned, having learned with deep solicitude that it is proposed to ask your honorable body to enact a uniform liquor license law, whereby our present local option right, as lodged with counties and municipalities, would be repealed, do most earnestly request that no such change be made; but instead that all be done to strengthen and simplify our present right of local government of the liquor traffic, and your petitioners shall ever so pray.

From Auburn, by Charles Van Norden and ninety-eight others.

Also: A like petition from G. H. Van Vleet and seventy-eight others.

Also: A like petition from R. L. Stafford and twenty-three others.

Also: A like petition from Rev. Jas. E. Beach and one hundred and twenty-one others.

Also: A like petition from Clipper Gap, by Z. C. Ferris and forty-eight others.

Also: A like petition from Ophir, by J. W. Knoff and thirteen others.

Also: A like petition from Mrs. N. B. Danielson and forty-five others.

Also: A like petition from Gold Hill, by Bell Fagg Fowler and fifty-four others.

Senator Gleaves introduced the following like petitions, which, on motion, were ordered printed in the Journal:

From Ed. Dobrowsky and thirty others.

From Miss Bell Reen and twenty-four others.

From Mrs. A. J. Hough and nineteen others.

From J. M. C. Murphy and twenty-one others.

From Shasta County, by Rosalind N. Bell and thirty-four others.

From Mrs. U. E. Barnard and thirty others.

Senator McGowan presented the following petition, which was ordered printed in the Journal:

GEO. H. THOMAS POST, No. 2, G. A. R.,
SAN FRANCISCO, February 19, 1895. }

The accompanying report and resolution were unanimously indorsed and recommended at a regular meeting, held this date.

By order of the Post.

T. K. STATELER, Commander.

Official: H. L. TICKNER, Adjutant.

At a meeting held in St. Ann's Building, No. 6 Eddy Street, San Francisco, Saturday evening, February 16th, at which there were members of all the various local Posts of the Grand Army of the Republic in this city, Capt. J. C. Currier of Post No. 2 was elected Chairman, and Col. J. J. Lyon of Post No. 1, Secretary. Commander T. K. Stateler, of the Geo. H. Thomas Post, read the bill introduced in the State Senate by Hon. Frank McGowan, which referred to the employment of Union veterans in civil positions, and after due discussion it was determined that a committee of three be appointed to draft suitable resolutions expressive of the sense of the meeting relative to said bill. Comrades Lyon, of Post No. 1, Col. W. R. Parnell, of Post No. 2, and O. S. Johnson, Commander of Post No. 48, were appointed said committee, with instructions to report their labors to the Chairman for transmission of the same to Sacramento.

The resolutions are hereto appended.

(Signed:) J. C. CURRIER, Chairman.

J. J. LYON, Secretary.

WHEREAS, A bill is now pending in the Senate of this State making it mandatory upon civil officers and contractors of public works to give the preference in appointments to minor positions, or employment in labor, as the case may be, to competent Union veterans, and making provision therein for their retention or removal, and for punishing willful violation of the Act; and whereas, like laws prevail, and are duly enforced, in many of the older States of the Republic, as a just recognition of the great and patriotic services rendered by citizen soldiers and sailors in maintaining the existence of the Nation during four long years of gigantic strife and deadly peril; and whereas, this great State, though then young in years and far removed from the scenes of actual conflict, proved its loyalty to freedom and national unity by the patriotic enlistment of thousands of its citizens in the armed service of the country, and by its generous contributions to the sanitary fund, as well as of its millions of dollars in golden wealth which so greatly aided in maintaining vast armies in the field and vessels of war upon rivers, gulfs, and oceans; and whereas, monarchical countries bestow honors, emoluments, and employment in times of peace upon their war-worn veterans, and the same underlying principle is adhered to among other Nations less republican in form than our own; therefore, in consideration of all the reasons herein set forth, be it

Resolved, That we, a committee representing all the Posts of the Grand Army of the Republic in the city of San Francisco, and voicing, as we believe, the sentiments of the other Posts and veterans throughout the State, as well as its patriotic and loyal people, do hereby indorse Senate Bill No. 95, and do most earnestly petition for its passage by the Legislature and its approval by his Excellency the Governor, so that patriotic services may be properly recognized, and justice be rendered those who endured much and suffered much that our country might live.

(Signed:) J. C. CURRIER, Chairman.

J. J. LYON,
OSCAR S. JOHNSON,
W. R. PARNELL,
Committee.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Hart:

Resolved, That A. F. Scott be and he is hereby appointed assistant stenographer to the Judiciary Committee, at a per diem the same as the regular stenographer, to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGiowan, Mitchell, Seawell, Seymour, Shine, Simpson, Toner, and Voorheis—30.

NOES—Senators Biggy, Burke, Orr, Pedlar, Shippee, Whitehurst, and Withington—7.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 17—Proposing an amendment to section three of article twelve of the Constitution, relative to corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Constitutional Amendment No. 19—Proposing an amendment to section three of article twelve of the Constitution, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GLEAVES, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 757—An Act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 699—An Act to provide for the appointment of a clerk in the office of the Superintendent of Public Instruction.

Also: Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 665—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 768—An Act to amend section three hundred and twenty-two of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 774—An Act to ascertain and express the will of the people of the State of California upon the subject of establishing a weekly day of rest.

Also: Senate Bill No. 487—An Act providing for the giving of bonds by all persons who shall sell or give away malt, spirituous, or vinous liquors within the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EARL, Chairman.

Senate Bill No. 699 re-referred to Committee on Finance.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Joint Resolution No. 12—Relating to the protection of agricultural industries, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do pass immediately.

SHIPPEE, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 117—An Act for the prevention of blindness, and to add a new section, to be numbered one thousand six hundred and fifteen, to the Penal Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 726—An Act to amend section sixteen of an Act entitled "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 473—An Act to appropriate money for the use of the Home for Feeble-Minded and Idiotic Children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ANDROUS, Chairman.

Senate Bill No. 473 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings beg leave to submit the report of the sub-committee appointed to investigate and report upon the Mendocino Insane Asylum, the Home for Feeble-Minded Children, the Napa Insane Asylum, and the Veterans' Home, which said report is hereto annexed:

MR. CHAIRMAN: Your committee appointed to visit the Asylums for the Insane at Ukiah and Napa, the Home for Feeble-Minded Children at Eldridge, and Veterans' Home at Yountville, would respectfully report that they have performed that duty, and thoroughly inspected the institutions named.

The asylum at Ukiah is situated about three miles from that town, in a delightful location, surrounded by extensive grounds, that when properly laid out will make a beautiful park for the use and recreation of the inmates. The property of the State at this point represents an investment of about \$400,000, of which \$39,000 was for the grounds. The buildings are well constructed and admirably planned for the purpose for which they are intended, and there is probably no public institution in the State in which the commonwealth received more value for the money invested in its buildings

than at this asylum, and we very heartily commend the Trustees for the prudence, business sagacity, and ability they have shown in the work intrusted to them. The management of the institution by Superintendent King seems to have been equally satisfactory. The asylum opened in December, 1893, with one hundred and twenty patients received from other institutions, which number was subsequently increased to one hundred and fifty. On February sixteenth, the day of our visit, there were two hundred and seventy-two patients. Three hundred and forty-two patients have been received since the institution opened its doors, so that in the fourteen months of its existence it has lost by discharge or death seventy patients.

The per capita cost of the asylum for the first month was \$1 47; for the first seven months, 92½ cents; for the last seven, 62½ cents; and for the last month, 58 cents—facts which speak, we think, conclusively, for its economical administration.

The net ratio of increase is eleven per month, and if the appropriation of \$6,280 asked for furnishing the wards is granted there will be room for one hundred and seventy-five more patients than are now in the asylum. The sum of \$100,000 is asked for an administration building; with the erection of that there would be ample room for the proper accommodation of the officers and employes of the asylum, an assembly hall, and other necessary rooms. At present two of the rooms intended for wards are being used for a reception-room and dining-room. The sole question is whether the State finances justify the Legislature in authorizing the erection of such an expensive building this year, when it is possible at some inconvenience to continue with the buildings as they now are, and to receive patients for the ensuing fifteen months if the ratio of increase per month does not exceed the figure it has as yet attained. Senate Bill No. 129, which calls for these appropriations for the Mendocino Asylum, asks for \$10,000 to furnish the administration building when finished. This item, in any case, we would recommend be stricken out, as even if the administration building be authorized by the Legislature, no appropriation for furnishing it will be needed before the next Legislature convenes.

Six thousand two hundred and eighty dollars is asked for the furnishing of the buildings now erected and ready for use. This will afford accommodations, as stated above, for one hundred and seventy-five more patients, and we recommend the appropriation as badly needed. The \$4,000 asked for an electric light plant, we recommend should be appropriated. We recommend the appropriation of \$2,000 for the improvement of the grounds. The appropriation of \$1,500 for cows we also earnestly recommend. The institution now spends \$100 a month for milk, and \$133 a month for butter. The first item could be entirely eliminated, and the latter greatly reduced, if the asylum had its own cows, and they would pay for themselves the first year. Appropriations of \$2,000 for a stable and \$1,200 for a cow barn are recommended; also \$10,000 for a dam and pipe to increase the water supply. The asylum owns a splendid supply of water, and with the appropriation asked it would be able to utilize all the water it needs, no matter how many patients it has. Ten thousand dollars for a sewer system, and \$3,000 for an ice plant are appropriations badly needed, and which we recommend.

With the increase in the number of patients the per capita cost will of course decrease, but it will not be possible to bring it down to the rate that obtained in the older asylums during the ensuing two years, and we recommend that it be calculated on a basis of at least 55 cents per diem, making due allowance of a gradual increase to over five hundred before the convening of the next Legislature.

The product of the farm connected with the asylum is increasing, and the labor of the patients is utilized as far as possible, thus cutting down expenses in both food and labor as low as possible. The payroll is \$2,550 per month, and forty-six male and eleven female patients are employed in various capacities. We found the whole institution clean and well kept, and a credit to the State.

We recommend an appropriation of \$2,500 to be used in employing one or two practical brickmakers, who, with the assistance of as many of the patients as possible, should be employed making brick, so that when the new buildings are commenced the State shall be put to as little expense, for the brick necessary, as possible.

THE NAPA INSANE ASYLUM.

The Insane Asylum at Napa is one of the most complete and admirably managed institutions of the kind in the United States, and after making a thorough inspection of it in every department and studying carefully all the details of its administration, we cannot speak too highly of the way in which the Board of Trustees and Superintendent Gardner and his assistants perform their duty. There were one thousand three hundred and twenty-two patients there the day of our visit. Over four hundred of them are employed at various occupations around the grounds or in the buildings, and the cost of maintenance has been reduced to 39 cents per capita. This figure will probably be further reduced if several new plans for the employment of the patients prove a success. A room formerly used as a kitchen has been fitted up as a sewing-room at a cost of \$1,462, and there, at a cost of \$85 per month for hired help, it is proposed to make most, if not all, the clothing for the male patients. Three large stone buildings, that would probably cost \$35,000 to erect, have been erected with the aid of the patients at a total cost of \$6,133, and are used as a kitchen and the necessary pantries, store-rooms, etc. An ice-plant costing \$3,100 has been put in, which has already paid for itself by the saving it has made possible. There are five hundred thousand bricks on the grounds, burnt there at a cost of \$2 per thousand, that are to be used in erecting new buildings.

The female patients, under the supervision of one Superintendent, whose wages are

\$50 a month, make most of the women's clothing, sheets, pillow cases, etc. The institution has a herd of cows, from which it gets all the milk needed and some butter. There is a planing shop worked by patients under the supervision of an experienced mechanic. The wards are all cleanly and well kept. The patients have, when able, amused themselves decorating their rooms and beds, giving their sleeping apartments a very home-like aspect.

We gave careful attention, both at the Mendocino and Napa Asylums, to the subject of the increase of patients in the insane asylums of the State, and the causes which lead to it. The fact that the number of the insane in the State is increasing so rapidly would at first glance seem to be alarming, but when the nativity of the patients is examined, the figures are not so discouraging. Thus, at the Mendocino Asylum in twelve months one hundred and forty-eight foreigners and only eighty-three Americans were committed. At Napa one hundred and fifty-two natives and one hundred and fifty-nine foreigners were committed between July 1, 1892, and July 1, 1893, and one hundred and seventeen Americans and one hundred and eighteen foreigners between the latter date and June 30, 1894. Among all these commitments only ninety are natives of California. Even at the Home for Feeble-Minded Children, where the commitments are made at an early age, twenty-eight foreign-born children have been committed during the past eight years. Many of the persons committed had only been in the State a short time, less than a year, for instance, but it is difficult to see how this evil can be overcome, especially as some of the worst cases are among the new arrivals, and it would be impossible to send them back to the States or countries where they properly belong, even if those were known.

It is our opinion that so far as practicable the various institutions of correction and charity in the State should be made largely self-sustaining, and that where one institution is able to produce a surplus of any commodity, the surplus should be sent to some other institution where it is needed. By carrying out this system of exchange, a great saving to the State can be made.

HOME FOR FEEBLE-MINDED CHILDREN.

The visit of the Committee to the Home for Feeble-Minded Children was entirely unexpected by the management, who were not aware of the committee's proximity until the visitors alighted from the train. There were three hundred and twenty-nine patients in the Home, and all but the worst cases were at dinner when we arrived. The boys wore a neat gray suit, and the girls were neatly clad; they seemed to be as contented and happy as their condition permitted. The dining hall, dormitories, and hallways were cleanly, with the possible exception of the wards for the worst cases, which were as clean as it is probably possible to have them with the condition of the patients who live there. All the children who are capable attend school, and a very successful kindergarten class is maintained. The most advanced pupils are able to read in the Third Reader, and a few have advanced as far as Division in Arithmetic. Their penmanship was excellent, and the work they perform on the farm and in the shops is very creditable. The institution dries a large quantity of fruit. The farm where the Home is located was formerly a dairy farm, and if the proper appliances are furnished and the necessary cows purchased it could not only manufacture all the butter needed, but could furnish a large supply to the other State institutions in the vicinity.

The wards occupied by the worst patients contain some of the most distressing cases it is possible to imagine. The boys of this class are on an upper floor of their wing of the building, and an appropriation is asked to erect for them a separate one-story building. We recommend that this be done, as, in case of fire, it would be impossible to save the children, who are utterly helpless, and unable to do the slightest thing for themselves.

The other appropriations asked for a laundry, electric light plant, etc., in Senate Bill No. 473, should be given, in our judgment, and we further recommend an appropriation for the purchase of cows and poultry. The dairy on the place is now leased, but the lease will expire in about a year, when we suggest that the use of the entire property be reserved for the institution exclusively. The Trustees and Superintendent Osborne seem to have managed the Home very economically, and when the new girls' wing is furnished there will be accommodations for two hundred more inmates. There are over three hundred applications on file, but the institution is now crowded to its fullest capacity, and new patients can only be received when a vacancy occurs through death or other cause. It may be added in this connection, that very few of the patients committed to this institution are ever able to leave, and that they are usually sent there at an early age, often as young as five years.

THE VETERANS' HOME.

We visited and thoroughly inspected the Veterans' Home at Yountville. The management is much better than it was, and there is a marked improvement in the condition of affairs, still there is room for important changes and curtailment of expenses. We recommend, for instance, the discontinuance of the office in San Francisco, and the consolidation of all the business at the office at the Home. It will save the State much trouble and save the expense of the San Francisco office. Only one Secretary would be needed, the accounts would all be kept in one place, and what assistance might be needed could be procured for a small sum from the inmates of the Home. All appropri-

ations by the National and State Governments could be drawn and placed in the bank by the President, and drawn out only by his check, countersigned by the Commandant, or Secretary, or both. A bank could be made Treasurer for all Government and large receipts, and the Commandant, under suitable bonds, could be the Treasurer for small amounts. All admissions to the Home should be considered and decided there by a board of officers, subject to the approval of the Board of Directors. The Board should meet at the Home once a month, and the committees as most convenient. This would bring the affairs of the Home much more under the personal observation of the Directors than at present. We recommend also that the supplies for the Home be bought by contract after proper advertising, as is done with other institutions receiving State aid. We believe special attention should be given to making the Home as nearly self-supporting as possible, and for that purpose we recommend that more of the inmates be employed; more vegetables and other crops raised, and more attention given to all expenditures than seems to be the case now.

All of which is respectfully submitted.

ANDROUS, Chairman.

Ordered printed in the Journal.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: The Sub-Committee on Public Buildings other than Prison Buildings, appointed to visit and investigate the State Insane Asylums at Ukiah and Napa, the Home for Feeble-Minded Children, and the Veterans' Home, have visited said institutions and reported back the result of their investigations to the Senate, and now present their account for mileage, as follows:

Senator Shine	\$38 40
Senator Denison	38 40
Senator Shippee	38 40
Senator Linder	38 40
Senator Biggy	38 40
Senator Gesford	38 40
Senator Mathews	38 40
Senator Mitchell	38 40
Senator Androus	38 40
Senator Seawell	41 00
Total	\$386 60

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of S. N. Androus, Chairman of said committee, for the sum of three hundred and eighty-six dollars and sixty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

ANDROUS, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 424—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers, and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MAHONEY, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FRANCK, Chairman.

Senate Bill No. 692 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 614—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 615—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries—have had the same under consideration, and respectfully report the same back, and recommend the passage of a substitute.

Also: Senate Bill No. 392—An Act to provide for the certification of land titles, and the simplification of the transfer of real estate—have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Also: Senate Bill No. 530—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ORR, Chairman.

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Joint Resolution No. 13—Relative to mines and mining claims situated within the boundaries of the Yosemite National Park—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOORHEIS, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the report of Committee on Public Buildings other than Prison Buildings, in regard to their account for mileage due from their visit to the State Insane Asylums at Ukiah and Napa, the Home for Feeble-Minded Children, and the Veterans' Home—have had the same under consideration, and respectfully report the same back, and recommend that the following resolution be adopted:

Resolved, That the sum of three hundred and eighty-six dollars and sixty cents is hereby appropriated out of the Contingent Fund of the Senate, for the purpose of paying mileage due the Committee on Public Buildings other than Prison Buildings, and the Controller is hereby directed to draw his warrant in favor of S. N. Androus for said amount, and the Treasurer is directed to pay the same.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Hart, Holloway, Linder, Mahoney, Martin, Mitchell, Pedlar, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

MOTIONS.

Senator Voorheis moved that the Senate take up and consider Assembly Joint Resolution No. 19.

At one o'clock and fifty-nine minutes P. M. Senator Withington moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Senators Arms, Androus, Biggy, Denison, Dunn, Earl, Holloway, Martin, Mitchell, Toner, and Withington—11.

NOES—Senators Aram, Beard, Bert, Fay, Franck, Gesford, Gleaves, Hart, Langford, Linder, Mahoney, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Whitehurst—22.

At two o'clock P. M. the President pro tem. declared the Senate in regular session.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Arms was granted a leave of absence for the remainder of the day.

MOTION.

At two o'clock and five minutes P. M. Senator Orr moved to adjourn. The roll was called, and the motion lost by the following vote:

AYES—Senators Arms, Androus, Biggy, Dunn, Earl, Fay, Flint, Linder, Martin, Mitchell, Orr, Shine, Simpson, Toner, and Withington—15.

NOES—Senators Aram, Beard, Bert, Burke, Denison, Ford, Franck, Gesford, Gleaves, Hart, McGowan, Pedlar, Seawell, Seymour, Shippee, Smith, Voorheis, and Whitehurst—18.

LEAVE OF ABSENCE.

Senator Denison was granted a leave of absence for the remainder of the day, on motion of Senator Voorheis.

RECESS.

At two o'clock and fifteen minutes P. M. Senator Orr moved to take a recess until seven o'clock and thirty minutes P. M.

AYES AND NOES.

The ayes and noes were demanded by Senators Langford, Dunn, and Shippee.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Fay, Flint, Gleaves, Hart, Linder, Orr, Seawell, Seymour, Simpson, Smith, Toner, and Voorheis—17.

NOES—Senators Bert, Dunn, Earl, Ford, Gesford, Langford, Martin, McGowan, Mitchell, Pedlar, Shine, Shippee, Whitehurst, and Withington—14.

Whereupon at two o'clock and twenty-two minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M. to-day.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Biggy, Burke, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, McGowan, Seymour, Shine, Simpson, Smith, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Seawell was granted a leave of absence for the evening, on motion of Senator Whitehurst.

Senator Fay was granted a leave of absence for the evening, on motion of Senator Beard.

Senator Earl was granted a leave of absence for the evening, on motion of Senator Ford.

Senators Orr and Pedlar were granted a leave of absence for the evening, on account of sickness.

Senator Dunn was granted a leave of absence for the evening, on motion of Senator Burke.

Senator Langford was granted a leave of absence for the evening, on motion of Senator Hoyt.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Assembly Joint Resolution No. 19—have had the same under consideration, and respectfully report the same back, and recommend that it do pass immediately.

SHIPPEE, Chairman.

Assembly Joint Resolution No. 19 read, as follows:

ASSEMBLY JOINT RESOLUTION No. 19.

WHEREAS, On the tenth day of December, eighteen hundred and ninety-four, the Hon. W. H. Hatch submitted the following resolution in the House of Representatives, and which was referred to the Committee on Agriculture of the House of Representatives:

"WHEREAS, Current market prices of the principal agricultural staples have declined to about half their former rates, and are sold in many instances at or below the cost of production; and whereas, such a condition must tend to the elimination of the independent land-owning farmer and his replacement by a dependent peasant tenantry, which, unless prevented, will not only prove detrimental to agriculture and the kindred industries, but also to the perpetuity of American institutions; therefore,

"Resolved, That the Committee on Agriculture of the House of Representatives be and are hereby directed to inquire into the causes of the depression of American agricultural staples and the relative condition of agriculture to the manufacturing industries, and report the same to the House, with such suggestions as they may deem proper regarding the differences or inequalities, if any exist, so far as they are caused by legislation, or as legislation can remedy them."

A hearing was had on the above resolution on December fifteenth and seventeenth,

and a limited number of copies of the proceedings on the resolution was ordered printed for free distribution; and whereas, these copies have all been distributed, and many more are in demand in our State for the information of the people; therefore,

Resolved, That we request our Representatives in Congress to present a resolution during the present session, authorizing the publication and free distribution of twenty-five thousand copies of said "hearing" for the State of California.

Resolved, That the Clerk of the Assembly is hereby instructed to transmit a copy of this resolution to each of our Representatives in Congress without any delay.

WHEREAS, Protection of American industries against the competition of the cheap-labor countries of the world is the controlling and public policy of this nation; and whereas, the present method of protection by a tariff on imports can only protect the home market of manufactures against imports, but cannot protect the staples of agriculture against foreign competition, because these are produced in surplus quantities for export; and whereas, to protect one industry and to leave the other unprotected is to compel the unprotected industry to pay for the protection of the protected industry, which is an injustice; therefore, we respectfully memorialize the Congress of the United States to remove this injustice by providing by law an equal measure of protection to the staples of agriculture now granted to manufactures; and that this be done by applying a portion of the revenue now collected as protective tariff in the payment of an export bounty on the staples of agriculture.

Resolved, That a copy of these resolutions be transmitted to Congress.

MOTION.

Senator Voorheis moved the adoption of Assembly Joint Resolution No. 19.

The roll was called, and Assembly Joint Resolution No. 19 refused adoption by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Flint, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Linder, McIlwain, Seymour, Shine, Smith, and Voorheis—17.

NOES—Senators Burke, Holloway, Martin, Simpson, Whitehurst, and Withington—6.

NOTICE OF RECONSIDERATION.

Senator Hart gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Joint Resolution No. 19 was this day refused adoption.

Senator Withington gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Joint Resolution No. 19 was this day refused adoption.

LEAVE OF ABSENCE.

On motion of Senator Franck, the Committee on Claims was, at eight o'clock P. M., excused, temporarily, to meet in committee.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Also: Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

SMITH, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all money received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 764 ordered to enrollment.

MOTION.

Senator Voorheis moved that the regular order of business be suspended, and that the Senate consider bills on the first-reading general file.

So ordered.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 93—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read first time.

Senate Bill No. 593—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Read first time, and on motion of Senator Smith, re-referred to Committee on City, City and County, and Town Governments.

Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Read first time, and on motion, re-referred to Committee on Judiciary.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 202—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter.

Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers, in all municipal corporations of the third and fourth classes in the State of California.

Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of the same.

Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Senate Bill No. 732—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Senate Bill No. 655—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Senate Bill No. 507—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section seven hundred and fifty.

Senate Bill No. 728—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Senate Bill No. 98—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to the establishment of high schools, and to provide for their support.

Senate Bill No. 132—An Act to amend sections one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand six hundred and seventy of the Political Code, relating to the public schools.

Senate Bill No. 754—An Act to restrict gaming.

Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Senate Bill No. 775—An Act to create agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and all Acts amendatory thereof, as are in conflict herewith," approved March 20, 1891, and to repeal all amendatory Acts thereof, and to provide for the disposition of State property and records now in the possession of the agricultural associations of this State.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Senate Bill No. 640—An Act relative to public health in cities of this State.

Senate Bill No. 252—An Act to amend an Act approved March 26, 1872, entitled "An Act to establish pilots and pilot regulations for the port of San Diego."

Senate Bill No. 255—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

Senate Bill No. 755—An Act for the incorporation of societies for the enforcement of the law and the prosecution of public offenders.

Senate Bill No. 604—An Act to provide for the payment by municipalities of claims arising out of the improvement of streets, sidewalks, and sewers therein.

Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Senate Bill No. 679—An Act to amend the law regarding the office of Mayor of each city of more than forty thousand of population in counties of the second and third classes.

Senate Bill No. 680—An Act to amend the law regarding the Board of Education of each city of more than forty thousand of population in counties of the second and third classes.

Senate Bill No. 681—An Act to amend the law regarding the office of Mayor's Clerk in each city of more than forty thousand of population in counties of the second and third classes.

Senate Bill No. 682—An Act to amend the law regarding the City Council of each city of more than forty thousand of population in counties of the second and third classes.

Senate Bill No. 729—An Act requiring county officers to file a monthly expense account.

Senate Bill No. 317—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class.

Senate Bill No. 770—An Act to amend the Act to promote the purity of elections, by the addition of three new sections, to be known as sections forty-six, forty-seven, and forty-eight.

Senate Bill No. 766—An Act to prohibit the officers and employes of banks and banking corporations from borrowing the funds thereof.

Senate Bill No. 302—An Act to provide for prosecuting attorneys of Police Courts in cities having more than fifty thousand and under one hundred and fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

MOTION.

Senator Withington moved that Senate Bill No. 696—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State—be ordered placed on special file.

So ordered.

ADJOURNMENT.

At eight o'clock and twenty minutes P. M., on motion of Senator Voorheis, the Senate adjourned until Monday, February 25, 1895.

IN SENATE.

SENATE CHAMBER,
Monday, February 25, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Simpson, Smith, Voorheis, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, February 21, 1895, the further reading was dispensed with, on motion of Senator Gleaves.

SPECIAL ORDER RESET.

On motion of Senator Orr, the following special order, set for consideration at this hour, viz.: Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—was reset as a special order to follow the one already set for consideration at two o'clock P. M. on this day.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced:

By Committee on County Government and Township Organization: Senate Bill No. 807—An Act to establish a uniform system of county and township governments.

On motion of Senator Withington, and by unanimous consent, the rules were suspended, and Senate Bill No. 807 was ordered read first time, and placed on special file for further readings.

FIRST READING OF BILL.

Senate Bill No. 807—An Act to establish a uniform system of county and township governments.

Read first time, ordered printed, and on special file for further readings.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Simpson: Senate Bill No. 808—An Act to create a Division

of Poultry, and to provide for scientific and practical experimentation with poultry culture, under authority of the State University.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 809—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 810—An Act to amend section two of an Act entitled "An Act supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purpose of this Act," approved March 25, 1893, relating to the number of votes necessary for the abandonment of operations.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 811—An Act to provide for the improvement and protection of streets, avenues, lanes, alleys, courts and places, and for the construction of sewers in municipalities, and to establish and regulate grades therein.

Referred to Committee on City, City and County, and Town Governments.

By Senator Fay (by request): Senate Bill No. 812—An Act to regulate the conduct and management of asylums and hospitals for the insane, and to prevent the incarceration therein of sane persons or of persons who are not so far disordered in mind as to endanger health, person, or property.

Referred to Committee on Judiciary.

By Senator Mahoney (by request): Senate Bill No. 813—An Act providing for primary elections within the State of California, and regulating the conduct thereof, and prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Referred to Committee on Elections.

Also (by request): Senate Bill No. 814—An Act to provide for the formation of societies for the promotion of physical culture and other kindred associations.

Referred to Committee on Education and Public Morals.

By Senator Denison (by request): Senate Bill No. 815—An Act to amend sections two hundred and forty-nine, two hundred and fifty, two hundred and fifty-two, and two hundred and fifty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to libel.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 816—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding four new sections to said Penal Code, to be known and numbered as section —, section —, section —, and section —, relating to slander.

Referred to Committee on Judiciary.

By Senator Androus: Senate Bill No. 817—An Act for the benefit of Robert B. Young for work done upon the buildings of Whittier State School, at Whittier, California, and for money expended in paying for insurance on the same, and to make an appropriation for the same.

Referred to Committee on Claims.

By Senator McGowan: Senate Bill No. 818—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages.

Referred to Committee on Judiciary.

Also: Senate Bill No. 819—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be known as and numbered as section one thousand seven hundred and forty-two, relating to contracts for the sale of personal property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 820—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and ninety-six, relating to the jurisdiction of Courts of the estates of deceased persons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 821—An Act to amend section one thousand four hundred and sixty-one of the Code of Civil Procedure of this State, so as to read as follows.

Referred to Committee on Judiciary.

Also: Senate Bill No. 822—An Act to amend section six hundred and ninety of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding a new article, exempting seamen's and fishermen's wages from execution.

Referred to Committee on Judiciary.

Also: Senate Bill No. 823—An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known and numbered as section one thousand seven hundred and sixty-seven, authorizing minors to borrow money to improve their property.

Referred to Committee on Judiciary.

By Senator Beard: Senate Bill No. 824—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer powers upon the Regents of the University of California to provide for the protection of the horticultural interests of the State.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Voorheis: Senate Bill No. 825—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-sixth fiscal year.

Referred to Committee on Finance.

By Senator Withington: Senate Bill No. 826—An Act to establish the Norwegian system of selling intoxicating liquors, other than vinous and malt liquors.

Referred to Committee on Education and Public Morals.

Also (by request): Senate Bill No. 827—Supplemental Act to "An Act to provide for the organization and government of irrigation districts,

and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and Acts amendatory thereto, enabling any irrigation district to dispose of certain surplus water, water rights, and water supply systems already acquired, in excess of the actual needs of the district.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 828—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to elections and the appointment of election officers.

Referred to Committee on Elections.

Also: Senate Bill No. 829—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 830—An Act to provide for the establishment of a Board of Examiners for the California State Therapeutic Society.

Referred to Committee on Judiciary.

By Senator Smith: Senate Bill No. 831—An Act to enable all counties, incorporated towns or cities, or consolidated cities and counties, to use voting machines or balloting devices at all elections therein, and to secure greater independence of voters and secrecy of the ballot at municipal elections in the State of California.

Referred to Committee on Judiciary.

REGULAR ORDER—PETITIONS.

The following petitions were presented, and ordered printed in the Journal without reference to committees:

By Senator Ford:

SIERRA COUNTY, CAL., February 20, 1895.

To Hon. TIREY L. FORD:

The undersigned, Notaries Public in and for the county of Sierra, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) Sam'l B. Davidson, J. T. Mooney, Samuel Hartley, Ella M. Allen, Frank R. Wicks, Wm. Ryan.

By Senator Simpson:

PASADENA, February 15, 1895.

To the Hon. C. M. SIMPSON, State Senator, Sacramento:

DEAR SIR: The increasing and alarming frequency of assaults upon women, and the frightful indignities to which even little girls are subjected, have become the shame of our boasted civilization.

Therefore, we would respectfully ask that as our representative in the State Senate you use your best influence to have passed by the Legislature a bill requiring the age of consent for girls to be at least eighteen years, and the legal age to be twenty-one years, instead of eighteen.

We earnestly desire that as forcibly as possible you will bring this matter to the attention of the Chairman of the Committee on Morals:

(Signed:) Eli Fay, Harriet Kelsey Fay, Florence E. Kollock, T. S. C. Lowe, Stephen Cutter Clark, Grace Miller Clark, P. M. Green, C. H. Keyes, Mrs. C. H. Keyes, E. L. Conger, Mrs. A. H. Conger, A. J. McClatchie, Mrs. S. E. Merritt, Chas. A. Smith, Geo. F. Kernaghan, Edward T. Howe, C. C. Howe, Adelia M. Callendar, Theo. Coleman, Mrs. Theo. Coleman, L. T. W. Conger, Mrs. N. H. G. Fife, N. H. G. Fife, William Stanton, Ellen I. Stanton, Wyllyo Hall, Mrs. Clark Crawford, Clark Crawford, Mrs. R. J. Mohr, and R. J. Mohr.

By Senator Androus:

To the Hon. S. N. ANDROUS:

DEAR SIR: The increasing and alarming frequency of assaults upon women, and the frightful indignities to which even little girls are subjected, have become the shame of our boasted civilization.

Therefore, we would respectfully ask that, as our representative, you use your best influence to have passed by the Legislature Senate Bill No. 420, requiring the age of consent for girls to be at least eighteen years.

We earnestly desire that as forcibly as possible you will bring this matter to the attention of the Chairman of the Committee on Morals.

(Signed:) Members of Vicksburg W. R. C.: Susie M. Sweet, M. A. Snyder, Sadie Starr Ostrander, Nellie M. Ostrander, Jennie Martin, Eliza A. Davis, Frances D. Cogswell, L. Ada Marshall, C. R. Williams, Mary E. Hyde, A. E. Tredway, Emma Ellsworth Sanders, Emily Collins Brady, Lizzie Cegar, Helen M. Taylor, Belle Warner, Ursula B. Tilden, Alice E. Burbank, Celestine Hewlett, Rosie Hughey, Mary L. Cartwright, Lucy James, Theresa S. Watson, N. L. Lemaster, Matilda Arbuthnot, S. E. Cooper, Jennie A. Ransford, D. C. Hodge, Helen M. Savage, Caroline Eckles, Margaret M. Cox, Angie Ostrander, Enid Hewlett, Bertha Hurtt, Mae Cordner, Della M. Pyles, Mrs. Mattie Cordner, Mrs. Nannie Pyles, Mrs. J. Y. McClintock, Alice F. McClintock, Mrs. Fannie H. Pierce, Polly E. Pomeroy, Mary F. Gotthard, Sophie S. Burt, Arthur W. Burt, Hattie M. Rice, B. A. Rice, F. Wilkins, M. D., Mary L. Brainerd, Mrs. W. M. Avis, Louise Cary Smith, Emma V. Sweet, M. E. Ellis, Gertrude L. Gow, Melissa C. Thatcher, Cora L. Armour, O. Sweet, C. O. Sweet, M. B. Cook, C. M. Jenks, Mary D. Kirkland, Florence Lonsbury Pierce, Ulysses G. B. Pierce, John Wasson, Mrs. Dr. A. C. Bryan, Mrs. A. I. Stewart, M. Hawlein, Mrs. C. E. Bond, Mrs. S. H. Rome, Mrs. S. C. W. Bowen, Mrs. Dr. Ira L. Welch, Mrs. E. L. Gillette, Mrs. M. A. Taft, Mrs. R. A. Phillips, Mrs. E. A. Bassett, Mrs. Sarah Holster, Mrs. Marion T. Boyd, Mrs. O. M. Gould, Mrs. C. A. Lorbeer, Mrs. Emma Ford Edwards, Mrs. Martha Casey, Mrs. H. F. Kidder, Mrs. L. N. Meserve, Mrs. A. Steadman, Mrs. T. W. Wright, Mrs. Gen. Howe, Mrs. C. P. Patterson, Mrs. Sarah Conner, Mrs. Emma McComas, Mrs. H. P. Wilkinson, Mrs. Anna P. Cason, Mrs. Nettie Beckett, Mrs. Emma M. Phillips, Mrs. T. R. Hornbeck, Mrs. M. J. Galbreath, Mrs. J. S. Howard, Mrs. Cunningham, Mrs. W. J. Damon, Mrs. I. Greenlaw, Mrs. S. A. Brand, Mrs. M. E. Savage, Mrs. E. J. Phelps, Jno. M. Cary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: We, the sub-committee from the Committee on Hospitals, who recently visited the State institutions hereinafter named, respectfully submit herewith our report, as follows:

On Saturday, February 16th, we visited Mendocino Asylum, located at Ukiah. We found in this institution two hundred and seventy-two patients, whose daily maintenance for past six months cost the State fifty-eight and one tenth cents, the high rate being due to the fact that a complete equipment and staff are absolutely necessary to the conduct of the asylum, even though the inmates are few. This plainly emphasizes the evident mistake of multiplying the number of such institutions.

There is no reason to fear overcrowding in this asylum during the next two years, and enlarged accommodations seem unnecessary at this time. The marsh lands adjacent, and belonging to the State, should be drained, and the plant of sewage disposal should be perfected. The local administration is efficient, and in careful hands.

The Home for Feeble-Minded Children at Glen Ellen we found well conducted, and the variety of work among the unfortunate inmates is evidenced by the results viewed in the several departments.

While offering no adverse comment upon the affairs of the Veterans' Home at Yountville as locally administered, we are unable to see the further use of maintaining a business office in San Francisco with its attendant expense. Particularly will such an office be unnecessary when all supplies shall be purchased under contract, as pending legislation contemplates.

The administration at the Napa Asylum is commended as both economic and efficient. An examination of commitments in the asylums visited shows a great lack of care in the proceedings by which persons are committed, such carelessness always resulting detrimentally to the State and sometimes to the individual.

Our observations plainly indicated the necessity of more general and systematic cooperation among the public institutions of the State, to the end that articles readily manufactured or produced in said institutions may be more freely exchanged.

PEDLAR,
TONER,
Committee.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: The Sub-Committee on Hospitals appointed to investigate the State Insane Asylums at Ukiah and Napa, the Home for Feeble-Minded Children, and the Veterans' Home, have visited said institutions and reported back the result of their investigation to the Senate, and now present their account for mileage, as follows:

Senator Toner.....	\$38 40
Senator Pedlar.....	38 40
Total.....	\$76 80

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A. J. Pedlar, Chairman of said committee, for the sum of seventy-six dollars and eighty cents, as per above statement, said warrant to be so drawn upon the fund for contingent expenses of the Senate, and the Treasurer is ordered to pay the same.

PEDLAR, Chairman.

The latter report was referred to Committee on Attachés, Contingent Expenses, and Mileage.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That the Secretary of State be instructed to furnish each Senator and the Secretary of the Senate with a set of the Constitutional Debates.

On motion of Senator Mahoney, the same was adopted.

RECESS.

At ten o'clock and forty-eight minutes A. M. the Senate, on motion of Senator Ford, took a recess until two o'clock P. M. this day.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVES OF ABSENCE.

The following were granted leave of absence for the day: Senators Franck, Shippee, and Gesford.

DECISION OF THE CHAIR.

The President pro tem. of the Senate addressed the Senate on the decision reserved by him on a previous day regarding points of order raised, as follows:

In the matter of the points of order raised in the question to "lay on the table" the motion to reconsider the vote whereby the amendment to Assembly Bill No. 248 was adopted, the Chair submits the following:

STATEMENT OF FACTS.

First—The bill under consideration was amended on second reading; Senator Seawell moved to reconsider the vote whereby the amendment was adopted. Pending the consideration of the motion to reconsider, Senator Smith moved that the "motion to reconsider" be laid on the table, which motion was carried, and so announced by the Chair.

Senator McGowan raised the point of order that the "motion to lay on the table" carried with it the amendment already adopted. Senator Ford made the further point of order that the carrying of the motion to lay on the table, carried the whole subject-matter, including the bill.

On this statement of facts the Chair makes the following ruling:

First—As to the point of order raised by Senator McGowan, that the carrying of the motion to "lay on the table" carries the amendment, the Chair rules that if the ordering of the bill to the third reading was the main question, the point of order would hold good as to the amendment; or if moved on the amendment, then the main question goes on the table also. But as the main question is the motion to reconsider, it does not carry with it the amendment already adopted. Therefore, the ruling of the Chair is, that the point of order by Senator McGowan is not well taken.

Second—As to the further point of order raised by Senator Ford, that the motion to "lay on the table" carried the bill to the table, the Chair rules that the point of order was not well taken, for the same reasons given in the ruling on Senator McGowan's point of order.

In conclusion, the Chair holds that the only matter affected by Senator Smith's motion to "lay on the table" is the motion by Senator Seawell to "reconsider the vote by which the amendment was adopted." And further, that the status of Assembly Bill No. 248 is as follows: Read first and second times, amended, and still subject to amendment. The question now is, shall the bill be ordered printed and to the third reading.

The Chair, in making this ruling, desires to state that he has found several opinions different from that laid down by Cushing in his "Law and Practice of Legislative Assemblies," but as the Standing Rules of the Senate (No. 34) provide that the above mentioned work shall govern in cases where the Standing Rules of the Senate do not specify otherwise, this ruling is made in accordance therewith. Modern rules of parliamentary procedure show a different course pursued.

SPECIAL ORDERS RESET.

Senator Hart moved that the special order, which was set for consideration immediately after the reading of the Journal, viz.: Senate Bill No. 201—An Act to provide against the adulteration of food and drugs—be reset as a special order for consideration at four o'clock p. m. this day.

So ordered.

On motion of Senator Seawell, Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—was set as a special order for consideration at two o'clock p. m. to-morrow, to follow other special orders set for that hour.

The consideration of Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—was, on motion of Senator McGowan, reset as a special order for consideration at four o'clock p. m. this day.

On motion of Senator Voorheis, the special orders set for this hour were postponed until Assembly Joint Resolution No. 19, relative to depression of agricultural affairs, was considered.

Senator Withington, in compliance with his notice given on a previous day, moved a reconsideration of the vote whereby Assembly Joint Resolution No. 19 was lost.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Ford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Smith, Toner, and Voorheis—27.

NOES—Senators Fay, Holloway, McAllister, Whitehurst, and Withington—5.

PAIRED.

Senator Burke announced that he was paired with Senator Gesford. Senator Gesford would have voted "aye" on reconsideration and Senator Burke would have voted "no."

ASSEMBLY JOINT RESOLUTION No. 19.

WHEREAS, On the the tenth day of December, eighteen hundred and ninety-four, the Hon. W. H. Hatch submitted the following resolution in the House of Representatives, and which was referred to the Committee on Agriculture of the House of Representatives:

"WHEREAS, Current market prices of the principal agricultural staples have declined to about half their former rates, and are sold in many instances at or below the cost of production; and whereas, such a condition must tend to the elimination of the independent land-owning farmer and his replacement by a dependent peasant tenantry, which, unless prevented, will not only prove detrimental to agriculture and the kindred industries, but also to the perpetuity of American institutions; therefore,

"Resolved, That the Committee on Agriculture of the House of Representatives be and are hereby directed to inquire into the cause of the depression of American agricultural staples and the relative condition of agriculture to the manufacturing industries, and report the same to the House, with such suggestions as they may deem proper regarding the differences or inequalities, if any exist, so far as they are caused by legislation, or as legislation can remedy them."

A hearing was had on the above resolution on December fifteenth and seventeenth, and a limited number of copies of the proceedings on the resolution was ordered printed for free distribution; and whereas, these copies have all been distributed, and many more are in demand in our State for the information of the people; therefore,

Resolved, That we request our Representatives in Congress to present a resolution during the present session, authorizing the publication and free distribution of twenty-five thousand copies of said "hearing" for the State of California.

Resolved, That the Clerk of the Assembly is hereby instructed to transmit a copy of this resolution to each of our Representatives in Congress without delay.

WHEREAS, Protection to American industries against the competition of cheap-labor countries of the world is the controlling and public policy of this nation; and whereas, the present method of protection by a tariff on imports can only protect the home market of manufactures against imports, but cannot protect the staples of agriculture against foreign competition, because these are produced in surplus quantities for export; and whereas, to protect one industry and to leave the other unprotected is to compel the unprotected industry to pay for the protection of the protected industry, which is an injustice; therefore, we respectfully memorialize the Congress of the United States to remove this injustice by providing by law an equal measure of protection to the staples of agriculture now granted to manufactures; and that this be done by applying a portion of the revenue now collected as protective tariff in the payment of an export bounty on the staples of agriculture.

Resolved, That a copy of these resolutions be transmitted to Congress.

The roll was then called on the adoption of Assembly Joint Resolution No. 19, and the same was adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, and Voorheis—26.

NOES—Senators Biggy, Fay, Holloway, Langford, McAllister, Seawell, and Withington—7.

During the roll call Senator Withington stated that he had made the motion to reconsider, believing that any resolution emanating from a sincere source, and having a large support, should not fail because of a

thin Senate and a misunderstanding of the rules; but that there being now a full vote, he should vote against the motion, because, as a Republican, he believed in the Republican doctrine of protection to American labor, and the resolution was a declaration that the entire tariff is a tax paid by the consumer, and a request to circulate a report which is a strong attack upon the protective tariff.

Senator Burke announced that he was paired with Senator Gesford. Senator Gesford would have voted "aye" on the adoption of Assembly Joint Resolution No. 19, and Senator Burke would have voted "no."

At two o'clock and thirty minutes P. M. Hon. Tirey L. Ford, State Senator from the Third District, was called to the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That the Secretary of the Senate be instructed to transmit by telegraph a copy of Assembly Joint Resolution No. 19 to the Speaker of the House of Representatives, and the expense thereof be paid out of the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Flint, Ford, Gleaves, Hart, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Orr, Seymour, Shine, Simpson, Smith, Toner, and Voorheis—22.

NOES—Senators Beard, Fay, Henderson, Holloway, Martin, McAllister, Mitchell, Seawell, Whitehurst, and Withington—10.

This being the hour set for the consideration of Assembly Bills only, the President pro tem. announced that the first to be considered was Special Order No. 1, viz.: Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—which was now on its second reading.

Senator Simpson moved that the further consideration of Assembly Bill No. 617 be reset as a special order for Wednesday next, at two o'clock P. M.

So ordered.

SPECIAL FILE—CONSIDERATION OF ASSEMBLY BILLS.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

On motion of Senator Biggy, the bill was referred to Committee on Judiciary, without losing its place on file.

THIRD READING OF BILL.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 785—An Act making an appropriation for the contingent expenses of the Senate.

Also: Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Also: Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Have had the same under consideration, and respectfully report the same as correctly enrolled.

SMITH, Chairman.

THIRD READING OF BILLS.

Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Burke, Denison, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Passed on file.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Read third time.

The roll was called on the final passage of the bill.

Pending the announcement of the vote, Senator Dunn was, on motion of Senator Mitchell, granted an indefinite leave of absence on account of death in his family.

CALL OF THE SENATE.

Senator Simpson moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Ford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary announced that Senators Earl, Hart, and Langford were the only absentees without leave.

The President directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Simpson moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Acting President pro tem. thereupon announced the result of the roll call on the passage of the bill, and declared the same had been refused a final passage by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Ford, Gleaves, Hoyt, Linder, Mathews, McAllister, Simpson, and Withington—13.

NOES—Senators Bert, Denison, Fay, Henderson, Holloway, Mahoney, Martin, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Smith, Toner, Voorheis, and Whitehurst—17.

Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Passed on file temporarily.

At three o'clock and ten minutes p. m. Senator Orr was called to the chair.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Read third time, and on motion of Senator Ford its further consideration was postponed until to-morrow.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Read third time, and passage refused by the following vote:

AYES—Senators Androus, Beard, Biggy, Burke, Gleaves, Hart, Holloway, Hoyt, McGowan, Orr, Pedlar, Seymour, Shine, Smith, Toner, Whitehurst, and Withington—17.

NOES—Senators Aram, Denison, Earl, Mahoney, Martin, Mathews, McAllister, Mitchell, and Seawell—9.

Senator Mathews gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 142 was this day refused final passage.

Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—32.

NOES—Senator Withington—1.

Title read and approved.

Senator Seymour was granted by unanimous consent leave to withdraw Senate Bill No. 215—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Its history was as follows: Committee recommendation do pass; read second time and engrossed.

Senate Bill No. 215 withdrawn.

SECOND READING OF BILLS.

Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read second time.

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read second time.

Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read second time.

NOTICE OF RECONSIDERATION.

Senator Bert gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 10 was this day refused a final passage.

THIRD READING OF BILL.

Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Read third time, and finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Burke, Earl, Fay, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

At three o'clock and thirty minutes p. m. President pro tem. Hon. Thomas Flint, Jr., in the chair.

SPECIAL ORDERS.

The President pro tem. announced the first special order for consideration was Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners—now on its second reading.

During the second reading of the bill the following committee amendments were submitted:

AMENDMENT No. 1.

Amend line one on the first page following the enacting clause by striking out the words "that section three of said Act is hereby amended so as to read as follows," and inserting in lieu thereof the words:

"Section 1. That section three of an Act entitled 'An Act creating a Board of Bank Commissioners, and prescribing their duties and powers,' approved March 30, 1878, and as amended by an Act approved March 10, 1887, be and the same is hereby amended so as to read as follows."

Adopted.

AMENDMENT No. 2.

Prefix the words "section two" on page two before the words "that section four of said Act is hereby amended."

Adopted.

AMENDMENT No. 3.

Prefix the words "section three" on page two before the words "that section five of said Act is hereby amended."

Adopted.

AMENDMENT No. 4.

Prefix the words "section four" on page two before the words "that section seven of said Act is hereby amended."

Adopted.

AMENDMENT No. 5.

Prefix the words "section five" on page three before the words "that section nine of said Act is hereby amended."

Adopted.

AMENDMENT No. 6.

Prefix the words "section six" on page four before the words "that section ten of said Act is hereby amended."

Adopted.

AMENDMENT No. 7.

Prefix the words "section seven" on page four before the words "that section eleven of said Act is hereby amended."

Adopted.

AMENDMENT No. 8.

Prefix the words "section eight" on page six before the words "that section twelve of said Act is hereby amended."

Adopted.

AMENDMENT No. 9.

Prefix the words "section nine" on page seven before the words "that section fourteen of said Act is hereby amended."

Adopted.

AMENDMENT No. 10.

Amend section fourteen, line two, by striking out the second word "two" and inserting the word "one" in lieu thereof, and by adding after the word "hundred" in the same line the words "and fifty."

Adopted.

AMENDMENT No. 11.

Prefix the words "section ten" before the following words on page seven: "that section fifteen of said Act is hereby amended."

Adopted.

AMENDMENT No. 12.

Prefix the words "section eleven" on page seven before the words "that section sixteen of said Act is hereby amended."

Adopted.

AMENDMENT No. 13.

Prefix the words "section twelve" on page seven before the words "that section twenty-three of said Act is hereby amended."

Adopted.

AMENDMENT No. 14.

Prefix the words "section thirteen" on page eight before the words "a new section is hereby added to said Act, to be numbered twenty-four."

Adopted.

AMENDMENT No. 15.

Amend section twenty-four by adding at the end thereof the following: "*provided, however, that the provisions of this section shall not apply to corporations now in existence.*"

Adopted.

AMENDMENT No. 16.

Prefix the words "section fourteen" on page nine before the words "a new section is hereby added to said Act, to be numbered twenty-five."

Adopted.

AMENDMENT No. 17.

Prefix the words "section fifteen" on page nine before the words "a new section is hereby added to said Act, to be numbered twenty-six."

Adopted.

Senator Whitehurst moved to amend as follows:

A new section is hereby added to said Act, to be numbered twenty-seven, and read as follows: "Section 27. No banker nor officer of any bank or corporation doing a banking business shall advertise in any manner or publish any statement of the capital stock authorized or subscribed, unless he advertise and publish in connection therewith the amount of capital actually paid up. Any officer, or the officers of any bank or corporation doing a banking business, advertising in any manner or publishing a statement of the capital stock of such bank or banking corporation, authorized or subscribed without the statement in connection therewith of the stock actually paid up, shall be guilty of a misdemeanor."

Adopted.

Senator Orr moved to amend as follows:

By striking out of the title, line four, the word and figure "three (3)," and insert "four (4)," and by inserting in line five of the title, after "26," the following: "and 27."

Adopted.

On motion of Senator Orr, the further consideration of Senate Bill No. 290 was set as a special order for Friday next, at three o'clock and thirty minutes P. M.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That the name of Wm. Wicks be and it is hereby substituted for that of F. B. Mitchell, as Electrician of the Senate, and said Wm. Wicks is hereby appointed Electrician of the Senate instead of said F. B. Mitchell, and the Controller is hereby directed to draw his warrants hereafter in accordance with this resolution.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SECOND READING OF BILL.

Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Senator Simpson moved to amend as follows:

By striking out of section one, line three, the words "reasonable expenses and damages for wounds received while in the service of" and insert "for services rendered."

Also: Strike out all after the word "State," in line three of section one and including the word "Guard" in line four.

Amendment adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, beg leave to report that they have been in joint session with the Assembly Committee on Agriculture considering the State and District Fairs appropriations, and that at said meeting it was resolved that each committee report to its respective house recommending that the State and District Fairs be maintained, and that the appropriation for the maintenance thereof for the forty-seventh and forty-eighth fiscal years be one half the appropriation that was allowed for the forty-fifth and forty-sixth fiscal years.

SHIPPEE, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was intrusted the duty of investigating the insane asylums at Ukiah and Napa, the Home for Feeble-Minded Children, and the Veterans' Home, desire to make a supplementary report to their report on mileage, by adding the name of J. F. Carrere, clerk, thirty-eight dollars and forty cents, which was accidentally omitted in the original report; therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. F. Carrere, clerk of said committee, for the sum of thirty-eight dollars and forty cents as per above statement, said warrant to be so drawn upon the fund for contingent expenses of the Senate, and the Treasurer is directed to pay the same.

ANDROUS, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 493—An Act to amend sections eight hundred and six and eight hundred and seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 621—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on City, City and County, and Town Governments.

WITHINGTON, Chairman.

Senate Bills Nos. 493 and 621 referred to Committee on City, City and County, and Town Governments.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the name of William Wicks be and is hereby substituted for that of F. B. Mitchell as Electrician of the Senate, and said William Wicks is hereby appointed Electrician of the Senate instead of said F. B. Mitchell, and the Controller is hereby directed to draw his warrants hereafter in accordance with this resolution.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report of the committee and resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—32.

NOES—None.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Sub-Committee on State Prisons and Prison Buildings, appointed to visit the State Prison at San Quentin, respectfully report as follows:

Your committee visited the State Prison at San Quentin on Saturday, February 16th, in company with a similar committee from the Assembly. Our inspection of the grounds and buildings, and of the system, was as thorough as our time would permit. We must congratulate Warden Hale for the excellence and care of his administration, and for the good results obtained, limited as he is by the incompleteness of the penal system of the State.

Your committee had in view during their inspection the question of the abolishment of this prison at San Quentin, as proposed in legislation now pending, by enlarging the prison at Folsom and the transfer of the San Quentin prisoners to that place. That the eventual removal of the prison from San Quentin is highly desirable and must be brought about is unquestioned. But how soon and by what method such a result is to be accomplished must be carefully considered. San Quentin is but a suburb of San Francisco, and lies in the midst of a growing suburban population, and can be reached at night by water from many points—in fact the location is ill adapted for a penitentiary. Certain classes of criminals regard imprisonment at San Quentin with little fear, as they are within easy communication with their friends. When established in the fifties, none of these conditions existed; indeed, the position was isolated. But the forty-five years have so changed the surrounding country as to make it most advisable from a penal standpoint to remove the prison further from such a large center of population. The best results in prison discipline can be obtained by isolation from cities so as to reduce to a minimum the possibility of illicit communication between the convicts and their friends outside. During recent years this State has made its first advances toward a well-considered penal system by the establishment of the Whittier and Preston Schools and by the enactment of a parole law. But a harmonizing of the whole is now necessary. There must be a more complete grading and segregating of those under punishment. There is no stage between the reformatory

schools and penitentiaries. Your committee's attention was called to the imprisonment of boys of nineteen, twenty, and twenty-one years of age, whose sentences were for two or three years, and whose life at San Quentin was but a continual development of their criminal instincts; and who after release would continue in their career of crime more skilled and more ready because of their companionship at San Quentin with old and hardened criminals.

The first remedy is segregation from the lowest and most criminal of such as show a desire and capacity for reformation; the second is properly disciplining the more tractable. By changing the system at Preston, such results could be accomplished. The Warden assured us that he could select about three hundred young men of twenty-three years of age and under who were amenable to discipline, who would accept an opportunity to reform, but who, so long as they remained in San Quentin would be hopelessly lost. Were the limit of age at Preston raised, and with it a discipline more severe and penal in character established, so as to receive and discipline just such criminals as the Warden described, the system could be readily and economically adjusted.

By such an act the State would have made another step in advance toward perfecting its prison discipline; and by such an act it would save many a young man, a native born, who by thoughtlessness rather than by maliciousness, has committed a crime, and who, under our present system, is sent to what, with a certain justness, has been termed a "school of crime." The segregation, therefore, of prisoners is an all important step to be made, and such as the above cannot be too strongly recommended. The foregoing remarks are suggested by the consideration of the removal question. By the enlargement of the cell capacity at Folsom and by increasing the number of inmates to about twelve hundred; by the above changes at Preston, and by its reception of about two or three hundred "first termers" selected by the prison authorities, by these methods the members confined at San Quentin could be reduced to about seven or eight hundred, and so maintained until further reduction became desirable. Folsom would then become the principal penitentiary, and San Quentin the second. It would be proper, in increasing the cell capacity at Folsom, to have in view the segregation at that place of the confirmed criminals from the first-termers.

As a matter of economy, too, such steps would seem desirable. At San Quentin, to such observers as ourselves, there was the appearance of overcrowding. The cell buildings were substantial enough, and with some slight repairs to balconies, would require no expenditures for many years to come. With the smaller buildings, notably with the dining-room building, this could not be said. If the prison be retained with its present numbers, appropriations will have to be made within the next few years for rebuilding of much that is so old as to seem unhealthy. Were the number reduced to seven or eight hundred, it might be possible to do without rebuilding. Another consideration is that the expense of bringing prisoners from Southern California is so great as to require that a prison be established in the South. So that we might look forward to the future when San Quentin would be entirely abolished, and the penal system of the State would consist of a penitentiary at Folsom, another in the South, a reformatory for young men at Preston, and the school for boys at Whittier.

The actual transfer of prisoners need never be actually done, except in the case of a few, for the increase in numbers at Folsom and the decrease at San Quentin can be obtained without any cost by requiring commitments to be made to Folsom or Preston, as the case might require. What such a method would accomplish is seen by considering that during the year ending June 30, 1894, there were four hundred and eighty-three prisoners discharged from San Quentin and five hundred and seventy-six committed to it. In other words, change in number can be accomplished without cost.

The jute manufactory at San Quentin, which has been erected at such a cost to the State, was in full operation. Your committee in reporting as above has given full consideration to the existence of the jute manufactory at San Quentin—a plant that has cost the State many thousands of dollars, and which now is in full operation. Legislation affecting it should be most carefully considered. We respectfully suggest that during the next few years there should be kept by the Warden at Folsom a careful record of the amount of horse-power that can be developed in its power-house during the time of the year when the water in the river is low. Such facts will be necessary for the future consideration of the question of the disposal of the jute manufactory.

Your committee found the place used as a landing for supplies of coal and jute, originally constructed as a wharf, to be but an embankment at which a landing could be made with difficulty, and only at the highest tide, and that the difficulty increases from month to month. A new wharf is very much needed.

Your committee, therefore, recommend legislation in accordance with the above report, as follows:

First—That a substitute for Senate Bill No. 285 be adopted, providing for enlarging the cell capacity at Folsom, and the decrease of the numbers at San Quentin to not more than eight hundred, such to be a maximum number; providing that the enlarging of Folsom be so done as to enable the "second termers" to be separately confined and employed.

Second—That legislation be enacted raising the limit of age within which prisoners shall be received at Preston, and making the discipline there more severe and penal in its character, and the transfer there of such prisoners as, in the opinion of the State Board of Prison Directors, should be detained there.

Third—The appropriation of five thousand dollars for the erection of a new wharf at San Quentin.

Respectfully submitted.

McALLISTER, Chairman.
MAHONEY.
DUNN.

Also:

MR. PRESIDENT: The Sub-Committee on State Prisons and Prison Buildings, appointed to investigate and report upon the condition and needs of San Quentin State Prison, at San Quentin, Marin County, having visited said State Prison, and reported back the result of their investigation to the Senate, now present their account for mileage, as follows:

Senator McAllister, 192 miles	\$19 20
Senator Mahoney, 192 miles	19 20
Senator Dunn, 192 miles	19 20
G. W. McIntyre, clerk, 192 miles	19 20
Total	\$76 80

Therefore,

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of Elliott McAllister, Chairman of said sub-committee, for the sum of seventy-six dollars and eighty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

McALLISTER,
Chairman Sub-Committee.

The latter report and resolution referred to Committee on Attachés. Contingent Expenses, and Mileage.

The hour of four o'clock P. M. having arrived, the President pro tem. announced the following special order, set for consideration at this hour, viz.: The reconsideration of the vote by which Senate Bill No. 201—An Act to provide against the adulteration of food and drugs—was, on a previous day, passed.

The roll was called, with the following result:

AYES—Senators Aram, Beard, Denison, Fay, Flint, Ford, Franck, Hart, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, Mitchell, Seawell, Seymour, Shine, Simpson, and Voorhies—20.

NOES—Senators Androus, Bert, Biggy, Burke, Earl, Gleaves, Hoyt, McAllister, Pedlar, Shippee, Smith, Toner, Whitehurst, and Withington—14.

Whereupon the President pro tem. declared the motion to reconsider the vote whereby Senate Bill No. 201 was passed, lost.

THIRD READING OF BILL.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Senator McGowan moved that Senator Holloway be appointed a special committee of one to amend as follows:

Amend section two by substituting therefor the following:

"SEC. 2. Such persons shall file with the Secretary of State duly executed articles of incorporation, as required by section two hundred and ninety of the Civil Code, and the Secretary of State shall thereupon issue a certificate of incorporation to such county insurance company, and upon organizing under such articles of incorporation, such county fire insurance company may carry on a fire insurance business as hereinafter provided."

Also: In line four, section seventeen, strike out all after the word "meeting," down to and including line ten.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 132, with instructions to amend, respectfully reports the same back, amended as per instructions.

HOLLOWAY, Committee.

The roll was called, and the report of special committee of one and amendment adopted by the following vote:

AYES—Senators Aram, Androus, Burke, Franck, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—21.

NOES—Senators Beard, Bert, Biggy, Denison, Fay, Ford, Gleaves, Hoyt, McAllister, Seawell, Shine, and Whitehurst—12.

Senator Earl moved that Senator Burke be appointed a special committee of one to amend as follows:

By adding at end of section one the words: "no company formed under this Act shall have power to issue policies until agreements for issuance shall have been entered into by at least two hundred applicants, the premium on which shall amount to not less than fifty thousand dollars, of which not less than ten per cent shall have first been paid in cash."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 132, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURKE, Committee.

AYES AND NOES.

The ayes and noes were demanded by Senators Gleaves, Earl, and Bert.

The roll was called, and the report of the special committee of one and amendment lost by the following vote:

AYES—Senators Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Gleaves, Hoyt, McAllister, Voorheis, and Withington—12.

NOES—Senators Aram, Ford, Franck, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—23.

Senator Earl moved that a special committee of one, consisting of Senator Burke, be appointed to amend the bill as follows:

By adding after the word "written," in line ten, of section eight, the following: "which obligation shall become a lien upon the property insured of the person so executing it, upon its being filed in the office of the Recorder of the county in which the property is situated."

Motion lost.

Assembly Bill No. 132 ordered printed as amended and on file for third reading.

PETITION.

By Senator Gleaves:

To the Hon. J. M. GLEAVES, representing the Second Senatorial District, and to the Hon. E. S. TOMBLIN, representing the First Assembly District, in the Legislature of the State of California:

The undersigned, residents of Yreka, Siskiyou County, California, respectfully urge you to secure if possible the passage of a resolution, at this session of the Legislature,

submitting to a vote of the people an amendment to the Constitution of the State of California, striking out the word "male" from the first section of article two of said Constitution.

(Signed:) Mrs. Geo. Butler, Geo. A. Tebbe, Geo. D. Butler, A. E. Raynes, J. D. Beard, Dr. A. J. Collar, W. E. Tebbe, Mrs. J. Churchill, Mrs. N. Collar, Mrs. N. S. Hall, Mrs. B. F. Walker, Ira Davis, Mrs. A. H. Burrows, C. A. Scheld, Mrs. J. E. Harmon, Mrs. G. W. Cooper, Mrs. H. Scheld, U. F. Brown, Miss Mae Burrows, Leila C. Brown, A. H. Burrows, S. T. Brown, C. B. Burrows, M. C. Brown, Mrs. J. P. Churchill, F. S. Ackerman, J. P. Churchill, J. Churchill, J. M. Walbridge, Jno. S. Carr, N. J. Sutherland, M. R. Hearn, B. J. Horanson, Allen Newton, R. H. DeWitt, Geo. W. Cooper, H. C. DeWitt, Louis P. Scheld, John F. McBride, N. A. Hawkins, E. L. Swan, J. S. Cleland, S. Weeks, Robert Nixon, C. R. Calkins, G. Shearer, George W. Thomas, H. N. Holland, J. E. Gashburg, Minnie Newton, M. S. McConnell, Winifred McConnell, A. L. Carr, O. A. Patterson, Mrs. O. A. Bennett, E. A. Parlin, Mrs. E. C. Coburn, Mrs. G. L. Hearn, Mrs. A. L. Tourley, Mrs. L. Irwin, Miss Josie Hessig, Mrs. Charles Herzog, Jr., Minnie Lilanes, Mrs. J. S. Cleland, Mrs. M. Park, Mrs. W. L. Hobbs, W. L. Hobbs, J. H. Magoffey, Mrs. J. H. Magoffey, Mrs. Frank O'Connell, Mrs. J. A. Van Anda, Mrs. J. V. Brown, Mrs. E. Shearer, Miss M. M. Shearer, Miss Lucy E. Pyle, J. A. Van Anda, D.D., Mrs. C. H. Jordan, Mrs. C. L. Gregory, J. F. McBride, Mrs. J. F. McBride, Wm. A. Hovey, Mrs. J. Martin, Mrs. W. A. Hovey, J. W. Churchill, Mrs. J. W. Churchill, Mrs. L. Swan, Mrs. A. Fairclo, H. G. Fairclo, Mrs. L. A. Dewey, Mrs. C. L. Bird, H. B. Gillis, B. F. Smith, Ella Gibson, Miss A. Hoffman, Abbie D. Putnam, Mrs. G. F. Houghton, Wm. F. Newtold, Geo. F. Houghton, Chas. Herzog, Jr., Mrs. A. Yambert, H. B. Green, J. M. Crimmons, Mrs. A. P. McCarton, Miss Mary Murray, Mrs. Emma A. Garner, Mrs. C. Humphrey, Mrs. C. S. Abbott, C. S. Abbott, Mrs. J. B. Russell, J. B. Russell, Jennie Hovey, Melvin Hovey, A. G. W. Davis, H. B. Warren, G. B. Robertson, Mrs. G. B. Robertson, Mrs. B. J. Horanson, Mrs. Jos. Forrest.

Also:

To the Senate of the State of California and to the Assembly of the State of California:

We, the undersigned citizens of California, ask you to pass a law granting full suffrage to the women of California.

Signed by Fred J. Smith and three thousand and nine others.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 207—An Act to regulate the sale of milk.

Also: Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Also: Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of court reporters, and the misconduct of judicial officers.

Also: Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Have had the same under consideration, and respectfully report the same as correctly enrolled.

SMITH, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 705—An Act to appropriate money to pay for supplies furnished the National Guard of California in 1893 and 1894.

Also: Senate Bill No. 517—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also: Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an Examining Engineer, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said engineer.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Your Committee on Finance, in considering Senate Bill No. 705—An Act to appropriate money to pay for supplies furnished to the National Guard, find on inspection of various vouchers that claims have been presented for medical services from physicians not connected with the Guard; also, that claims for horses accidentally killed by guardsmen have been filed. Believing that many items included in the vouchers are not properly chargeable to the account of subsistence, your committee recommend that the bill be so amended that every claim presented shall receive the approval of the State Board of Examiners before money can be drawn from the treasury for its payment.

VOORHEIS, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 25, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 44.

JAMES H. BUDD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighteenth day of February, adopted Assembly Joint Resolution No. 24—Joint resolution relative to election of United States Senators by direct vote of the people.

S. J. DUCKWORTH, Chief Clerk.

Referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first of February, adopted Assembly Joint Resolution No. 23—Relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County.

Also: Assembly Joint Resolution No. 4—Joint resolution relative to foreign immigration to the United States.

S. J. DUCKWORTH, Chief Clerk.

Assembly Joint Resolution No. 23 referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Assembly Joint Resolution No. 4 referred to Committee on Federal Relations and Immigration.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 16—Relative to the presentation of the portrait of Hon. Newton Booth.

S. J. DUCKWORTH, Chief Clerk.

Referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 32.

S. J. DUCKWORTH, Chief Clerk.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS.

The following constitutional amendments were introduced, read by title, and referred to committees, as follows:

By Senator Langford: Senate Constitutional Amendment No. 27—Proposing an amendment to section twenty-two of article four of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Senator Mathews: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to article two, section one, of the Constitution, in relation to the right of suffrage.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 832—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 833—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges, and railroad tickets.

Referred to Committee on Judiciary.

Also: Senate Bill No. 834—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes for the forty-seventh and forty-eighth fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 835—An Act to add a new section to the Penal Code of the State of California, to be numbered as section three hundred and eighty and one half, relative to the publishing of formulas for the cure of the morphine, opium, and liquor habits.

Referred to Committee on Judiciary.

By Senator Martin (by request): Senate Bill No. 836—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Referred to Committee on Banks and Banking.

Also (by request): Senate Bill No. 837—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Referred to Committee on Roads and Highways.

By Senator Simpson: Senate Bill No. 838—An Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by

adding sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hun-

dred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred ; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

On motion of Senator Simpson, the bill was ordered printed forthwith.

Also: Senate Bill No. 839—An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Earl (by request): Senate Bill No. 840—An Act to appropriate nine thousand seven hundred and five dollars and fifty cents to pay the claim of C. H. Reynolds upon certain Indian war bonds.

Referred to Committee on Claims.

Also: Senate Bill No. 841—An Act to provide for compiling and publishing an elementary word book, or speller, for the State series of school text-books.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 842—An Act to regulate the granting of franchises to lay down railroad tracks upon the streets and avenues in cities, or cities and counties, having one hundred thousand or more inhabitants.

Referred to Committee on Corporations.

Also: Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 844—An Act to provide payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 845—An Act to amend sections three hundred and seventy-six and three hundred and seventy-seven of the Code of Civil Procedure, relating to actions to recover damages for the wrongful or negligent injury or killing of human beings.

Referred to Committee on Judiciary.

Also: Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one

thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five of the Political Code of the State of California, relating to public schools.

Referred to Committee on Education and Public Morals.

By Senator Gileaves: Senate Bill No. 847—An Act providing for contesting the election of any person apparently elected to the office of Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney-General, Surveyor-General, Clerk of the Supreme Court, Superintendent of Public Instruction, Superintendent of State Printing, Chief Justice, or Associate Justice of the Supreme Court, Member of the State Board of Equalization, Railroad Commissioner, or Presidential Elector.

Referred to Committee on Elections.

Also: Senate Bill No. 848—An Act to add a new section to the Political Code of the State of California, to be numbered one thousand two hundred and sixty and one half, relating to the examination and counting of ballots cast at any election.

Referred to Committee on Elections.

Also: Senate Bill No. 849—An Act to provide for a commission to investigate public offices, institutions, and departments of the State government, and of the counties, cities and counties, or municipalities thereof; to inquire into the acts of all public officers, employes, and attachés of such offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employes, and attachés, and their official conduct generally; to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and other elections, and to count the ballots cast for State officers, and to authorize the discharge of unnecessary officers, employes, or attachés, and appropriating money therefor.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 850—An Act to amend an Act entitled an Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State.'" approved March 20, 1891, by amending sections one, eleven, and twelve.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Toner: Senate Bill No. 851—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensations for official services in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Referred to Committee on Judiciary.

Also: Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Referred to Committee on City, City and County, and Town Governments.

By Senator Shine: Senate Bill No. 854—An Act regulating the width of tires upon wagons and other vehicles to be used upon the public roads and highways in the State of California.

Referred to Committee on Roads and Highways.

By Committee on Roads and Highways: Senate Bill No. 855—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, two thousand seven hundred and eleven, two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

Bill ordered on file.

By Senator Bert (by request): Senate Bill No. 856—An Act to provide for the re-payment by the State of California of the purchase price of salt marsh lands where it has been fully determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant, as finally surveyed and patented by the United States Government, and to make an appropriation therefor.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 857—An Act to authorize the Board of State Harbor Commissioners to execute leases of land belonging to the State within their jurisdiction and control.

Referred to Committee on Commerce and Navigation.

Also (by request): Senate Bill No. 858—An Act to amend an Act entitled "An Act in relation to labor and material on the public buildings in the State of California," approved April 4, 1870.

Referred to Committee on Labor and Capital.

By Senator Mahoney (by request): Senate Bill No. 859—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Referred to Committee on Elections.

By Senator Mathews: Senate Bill No. 860—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Referred to Committee on County Government and Township Organization.

By Senator Orr: Senate Bill No. 861—An Act to amend the Civil Code by adding to chapter three of title three of part one of division four a section, to be numbered three thousand four hundred and twenty-four, concerning equitable relief in cases of a multiplicity of statutory penalties.

Referred to Committee on Judiciary.

By Senator Linder: Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever"; and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Referred to Committee on City, City and County, and Town Government.

Also: Senate Bill No. 863—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight and one half, relating to defrauding proprietors and managers of livery stables.

Referred to Committee on Judiciary.

Also: Senate Bill No. 864—An Act to regulate the business of running and conducting cars for profit over railroads within the State of California, and to provide a penalty for the violation of the provisions of this Act.

Referred to Committee on Judiciary.

Also: Senate Bill No. 865—An Act to regulate the transportation of perishable fruit, goods, or merchandise by express or transfer companies.

Referred to Committee on Judiciary.

By Senator Fay: Senate Bill No. 866—An Act to create the office of State Engineering Examiner of Desert Lands; to provide proper means of taking advantage of the Act of Congress approved August 18, 1894, authorizing the Secretary of the Interior to enter into contracts with the State to donate and grant desert lands not exceeding one million acres to the State, upon the State agreeing to reclaim said land; prescribing his duties, and appropriating sufficient money to pay his salary and expenses.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 867—An Act to amend section ninety-three of the Code of Civil Procedure of the State of California, concerning the Justice's docket.

Referred to Committee on Judiciary.

By Senator Smith: Senate Bill No. 868—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political

Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Ford: Senate Bill No. 869—An Act to amend section six hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the granting of new trials.

Referred to Committee on Judiciary.

Also: Senate Bill No. 870—An Act to amend section five hundred and ninety-two of the Code of Civil Procedure of California, relating to the trial of issues of fact.

Referred to Committee on Judiciary.

By Senator Biggy: Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Referred to the San Francisco Delegation.

By Senator Flint: Senate Bill No. 872—An Act providing for the punishment of the offense of killing or detaining carrier or homing pigeons.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Aram: Senate Bill No. 873—An Act to provide for the exercise of the powers and duties of the Governor in certain contingencies.

Referred to Committee on Judiciary.

By Senator Langford: Senate Bill No. 874—An Act to amend sections two, six, seven, fourteen, fifteen, sixteen, and seventeen, and to repeal section twenty-two of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment and election of assignees, the appointment of receivers, the delivery of the property of the insolvent, the adjudication of due and legal notice to creditors, the bond and oaths of assignees, and the time of making of assignments by clerks.

Referred to Committee on Judiciary.

RESOLUTIONS.

The following resolutions were submitted, read, and referred to committees, as follows:

By Senator Linder:

Resolved, That the name of W. W. Collins be and is hereby substituted for that of W. J. Tuohy as Assistant Bookkeeper to the Sergeant-at-Arms, and the Controller is hereby instructed to draw his warrants hereafter in accordance therewith.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Hart:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of fifty dollars and ninety-five cents, per vouchers hereto attached, the said warrant to be so drawn on the fund for the contingent expenses of the Senate.

SACRAMENTO, CAL., February 25, 1895.

The Senate of the State of California to H. C. CHIPMAN, Dr.:

To painting and lettering bulletin.....	\$15 00
Thirty inscriptions, at 25 cents.....	7 50
Total.....	\$22 50

SACRAMENTO, CAL., February 21, 1895.

L. F. BLACKBURN, Sergeant-at-Arms, Senate, to D. FALCONER, Dr.:

Three turned legs, at 40 cents.....	\$1 20
Two gross screws, at 75 cents.....	1 50
Fifty feet molding and chalk rail.....	2 50
Eighty feet ash and poplar, at 10 cents.....	8 00
Labor, glue, and brads.....	14 50
Two bolts, and drayage.....	75
Total.....	\$28 45

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of fifty dollars and five cents in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, as per vouchers hereto attached, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

SACRAMENTO, CALIFORNIA, February 23, 1895.

The Senate of the State of California to Union Ice Company, Dr.:

To 1,400 pounds of ice, at 1 cent.....	\$14 00
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SACRAMENTO, CAL., February 23, 1895.

State of California, Senate, to C. H. RAVE, Dr.:

Jan. 22—To 4 desk keys.....	\$1 40
Jan. 22—To 2 drawer keys.....	70
Jan. 22—To repairing lock.....	30
Jan. 24—To 1 desk key.....	35
Jan. 24—To 2 door keys, No. 26.....	1 00
Jan. 24—To 3 desk keys, Senate.....	1 05
Jan. 31—To 1 desk key, Senate.....	35
Feb. 4—To picking 2 locks 25c, repairing lock 25c, 1 key 35c.....	85
Feb. 5—To repairing chair, Sergeant-at-Arms.....	50
Feb. 7—To 3 keys, Senate Chamber.....	1 05
Feb. 13—To picking lock, 2 keys.....	95
Jan. 9—To 3 desk keys, each 35c.....	1 05
Jan. 9—To 2 drawer keys, each 35c.....	70
Jan. 10—To 3 desk keys for clerks, each 35c.....	1 05
Jan. 11—To 3 keys.....	1 05
Jan. 11—To 1 roller for chair.....	35
Jan. 14—To repairing drawer lock and 1 key, Sergeant-at-Arms.....	65
Jan. 14—To repairing chair.....	50
Jan. 15—To 2 drawer keys and repairing drawer.....	1 00
Jan. 15—To 1 door key 50c, table key 35c, Senate.....	85
Jan. 16—To repairing lock.....	50
Jan. 16—To 3 keys \$1 05, repairing lock 45c.....	1 50
Jan. 16—To 1 new desk lock.....	1 50
Jan. 16—To 6 door keys, No. 41.....	3 00
Jan. 16—To 1 desk key.....	35
Jan. 16—To repairing lock, No. 16.....	75
Jan. 17—To 1 chair roller.....	35
Jan. 17—To repairing window shade.....	75
Jan. 17—To 5 keys for clerks.....	2 25
Jan. 17—To 1 door key, room 75.....	75
Jan. 17—To 1 door key, room 31.....	35
Jan. 17—To 2 drawer keys.....	70
Jan. 17—To 9 keys, room 16.....	3 15
Jan. 18—To repairing chair.....	1 50
Jan. 18—To new roller on chair.....	35
Jan. 18—To 2 door keys.....	1 00
Jan. 18—To 1 desk key.....	35
Jan. 18—To repairing window shade.....	75
Jan. 19—To repairing chair.....	50
Total.....	\$36 05

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

APPROVAL OF JOURNALS.

The Journals of Tuesday, February 19, 1895, Wednesday, February 20, 1895, and Thursday, February 21, 1895, were approved.

ADJOURNMENT.

At five o'clock and twenty-seven minutes P. M., on motion of Senator Orr, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 26, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Gleaves.

LEAVE OF ABSENCE.

Senator Androus was, on motion of Senator Bert, granted a leave of absence for the day.

Senator Pedlar was excused for one hour, on motion of Senator Gleaves.

Senator Earl was, on motion, granted a leave of absence for the forenoon.

MOTION.

Senator Mathews asked unanimous consent that Assembly Bill No. 142 be recalled from the Assembly, to which body it was transmitted on yesterday, and be placed on the Senate file.

Granted, and Assembly Bill No. 142 ordered recalled.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers,

employés, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

On motion of Senator Seawell, Senate Bill No. 129 was reset as a special order for Friday next, immediately after reading the Journal.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

On motion of Senator Voorheis, Senate Bills Nos. 194 and 193 were also reset as special orders for Friday next, immediately after reading the Journal.

On motion of Senator Hart, Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State—was made a special order for consideration at eleven o'clock and thirty minutes A. M. this day.

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Read third time.

Senator Seawell moved that further consideration of Senate Bill No. 36 be made a special order for Friday next, to follow the other special orders previously set for that day.

The ayes and noes on the adoption of the motion were demanded by Senators Ford, Mitchell, and Toner.

The roll was called, and the motion to postpone further action on the bill was lost by the following vote:

AYES—Senators Beard, Biggy, Burke, Denison, Gesford, Hoyt, Langford, Mathews, McAllister, Orr, Seawell, Simpson, Voorheis, Whitehurst, and Withington—15.

NOES—Senators Androus, Bert, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Shine, and Toner—19.

The roll was called, and Senate Bill No. 36 passed by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Shine, Toner, and Whitehurst—22.

NOES—Senators Aram, Burke, Denison, Gesford, Holloway, Hoyt, Langford, Mathews, McAllister, Seawell, Shippee, Simpson, Voorheis, and Withington—14.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 36 was this day passed.

SECOND READING OF BILL.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Read second time, ordered engrossed, and on motion of Senator McGowan, was made a special order for consideration on to-morrow, after the reading of the Journal.

URGENCY BILL.

Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

During the second reading of the bill, the following amendments were submitted:

Senator Ford moved to amend section one as follows:

After the word "thousand," in line five of the bill as printed, insert the words "nor shall a new county be formed which shall contain more than sixty per cent in value of the property of any county proposed to be divided, as shown by the last assessment roll of such county."

Adopted.

Also: Amend by striking out all of section two and inserting the following in lieu thereof:

SEC. 2. Whenever any of the inhabitants of a portion of one or more counties desire that such portions shall be formed into a new county, they shall present a petition to the Governor of the State. Said petition shall be signed by at least a majority of those qualified electors of the county or counties, residents within the limits of said proposed new county, who are taxpayers in said county or counties, as shown by the last assessment roll thereof. And said petition shall be signed by such majority of said electors residing within the part of the territory of each county included within the boundaries of said proposed new county. Such signatures need not all be appended to one page, but may be signed to several petitions which are substantially the same in form, and when so signed, the several petitions may be fastened together, and shall be treated and presented as one petition. The petition shall set forth and describe with reasonable certainty the proposed boundaries of such new county, and state the estimated population therein and the name of the proposed new county, and shall pray that the same may be organized into a county under the provisions of this Act. Upon the receipt of such petition the Governor shall appoint a commission composed of three disinterested electors of the State, who have no property interests in any of the territory affected thereby, and who are not residents of any of the territory affected thereby. After their appointment the said Commissioners shall take the oath of office and organize by the election of one of their members as President and one of their members as Secretary. As soon as the organization of said commission is complete the Governor shall certify and refer to it the said petition. The said commission shall establish some place within the territory affected by the petition at which to hold its meetings, and it shall, upon the receipt of said petition forthwith set the same for hearing at a time not less than twenty nor more than thirty days from such receipt, and the Secretary of said commission shall cause notice of such hearing to be given by publication, at least once a week for two successive weeks before said hearing, in some newspaper of general circulation published in the proposed new county, and if there be no newspaper published therein, then in some newspaper published in one of the counties proposed to be divided. Said notice shall be substantially in the following form:

"Whereas, a petition has been presented to the Governor of the State of California, praying for the creation of ——— county (naming the proposed new county), and that the boundaries of the same are (stating the boundaries described in the petition), and said petition has been certified to this commission for hearing.

"Now, therefore, notice is hereby given that a hearing will be had before such commission on — (naming the time) and at — (naming the place), to receive the proofs offered to establish or controvert the facts set forth in said petition, and at which time and place any person interested may show cause why the boundaries of the proposed new county should not be established as set forth in said petition."

At the time fixed for said hearing, said commission shall receive the proofs offered to establish or controvert the facts set forth in said petition or affecting the boundaries of the proposed new county. Said commission shall accept the affidavit of any qualified elector residing in the proposed new county as *prima facie* evidence of the genuineness of the signatures, of the residence of the petitioners, and of their being qualified electors, as to such signatures on the petition as to which he deposes. In determining the population of the proposed new county, and of the remainder of any county proposed to be divided, said commission shall assume *prima facie* that said population is five times the number of names recorded on the great register thirty days preceding the hearing. If, prior to the time fixed for such hearing, there shall have been presented to said Governor of the State one or more further petitions for the formation of new counties in which the proposed boundary lines conflict with those of the petition already filed, he shall certify such further petition or petitions to the same commission to which has been referred the earlier petition. In such cases the hearing on the earlier petition shall be postponed until due notice of the hearing of such conflicting petitions shall have been given, and the conflicting petitions shall be heard at the same time and place. At such hearing such commission shall determine how the boundaries set forth in such conflicting petitions shall be changed so as to avoid such conflict.

The hearing of such a petition or petitions before said commission shall be tried and disposed of by the commission as rapidly as practicable, and at the conclusion of said hearing the said commission shall find whether the petition is signed by the requisite number of qualified electors and taxpayers, residents of the proposed new county; whether the proposed new county shall reduce any county to a population of less than eight thousand; the population of each county sought to be divided after the proposed new county is taken off; the population of the proposed new county; whether any line of the proposed new county will pass within five miles of the county seat of any county proposed to be divided; whether the proposed new county shall contain more than sixty per cent in value of the property of any county proposed to be divided, as shown by the last assessment roll of such county; and fix and confirm the boundaries between the proposed new county and any county sought to be divided, as set forth in the petition, or fix and determine other boundaries as may better meet the ends of justice; *provided*, that said commission shall make no change in said boundaries which shall prevent the county sought to be created from complying with any of the conditions required by section one of this Act, except that in cases where petitions with conflicting boundaries are heard at the same time the commission shall adjust such conflicting boundaries in such manner as to it may seem just, permitting each of the proposed new counties to comply if possible with the conditions required by section one of this Act; *provided*, that in adjusting the conflicting boundaries between two or more proposed new counties, the commission shall so adjust the boundaries that the two or more proposed new counties do not contain in the aggregate more than sixty per cent in value of the property of any county sought to be divided, as shown by the last assessment roll thereof, and if in order to comply with this direction, or for any reason, it so adjusts the boundaries that one or more of the proposed new counties does not comply with the conditions of section one of this Act, it shall so state in its certificate herein provided for, and no further action shall be had on the petition for the formation of that proposed new county. And in the event that the commission should adjust the conflicting boundaries between two or more proposed new counties so that each should comply with all the conditions of section one of this Act, except that both could not be formed because in the aggregate they would take more than the said sixty per cent in value of the property of a county sought to be divided, the commission shall determine which of the new counties it is most expedient to form and fix, and determine its boundaries; and as to the other, shall certify that it declined to fix its boundaries, and could not form the same without violating said condition, and no further proceedings shall be had on the petition for the formation of that proposed new county. In adjusting and determining the boundaries of any proposed new county, the commission shall not include any part of a county, no part of which is included in the boundaries set forth in the petition. Such findings of said commission shall be embodied by it in a certificate, and the certificate attached to the original petition, and forthwith returned by said commission to the Governor. Any member of said commission shall have power to administer oaths. Said commission may inform itself by testimony at the hearing above mentioned and also by going upon the ground if deemed expedient by it. The said commission shall have the same power to subpoena and compel the attendance of witnesses and the production of books and papers as is possessed by Superior Courts in civil cases. If, from any cause, any of said Commissioners shall die, resign, refuse to qualify, or for any cause shall become disqualified from acting, the Governor shall appoint another Commissioner to act in his place.

After its organization the said commission, at its first meeting, and before proceeding with the further discharge of its duty, shall require a good and sufficient bond in double the amount of the probable cost to be incurred by the said commission, said amount to be fixed by said commission, and said bond to be approved by said commission, and con-

ditioned that the bondsmen thereon shall pay all costs incurred by said commission under and by virtue of this Act. And in the event that said proposed new county is formed, it shall repay the said bondsmen all expenses and costs paid by it under said bond, which shall be presented to the Board of Supervisors of said new county as a claim against it, and said new county shall pay the same.

Each of said Commissioners shall receive as compensation for his services the sum of eight dollars per diem and his actual traveling expenses, the same to be made a part of and to be included in the costs and expenses herein provided for.

The said commission, after having met at the place designated by the notice as herein provided, may, from time to time, hold sessions at any other place within the territory affected.

The commission shall keep a record of its proceedings and the appointment of said Commissioners, and the said petition or petitions shall be entered in said record, and upon the completion of its duties as in this Act provided, such record shall be by it filed in the office of the Secretary of State.

Adopted.

At ten o'clock and fifty-five minutes A. M. Senator Orr was called to the chair.

Also: Amend section three of the bill as printed, as follows: Strike out all of lines one and two of section three, and the first ten words of line three of section three, and insert in their place the words: "When the petition and certificate of the commission provided for in the last section shall have been filed with the Governor, if it appears therefrom that all the conditions contained in section one of this Act are complied with, that the petition was signed by the requisite number of qualified electors and taxpayers required by section two of this Act, and that the commission has fixed and determined the boundaries of the proposed new county, the Governor shall."

Adopted.

Also: On page four, line nineteen of section three of the printed bill, after the word "held" add: "*provided, however,* that no election precinct shall be established which shall include within its boundaries any territory taken from more than one county sought to be divided."

Adopted.

Also: Amend section four of the bill as printed by striking out the word "judgment" in line eight, and inserting in its place the words "certificate of the commission provided for in section two of this Act."

Adopted.

Also: Amend section four of the bill as printed by adding after line three the words "Sheriff, Tax Collector."

Adopted.

Senator Orr moved to amend as follows:

By inserting in section four, end of line ten, the words: "*provided,* that Supervisors, Justices of the Peace, Constables, and School Trustees residing in any new county at the time of its formation shall continue in their respective offices and discharge the duties thereof for the district or township in which they may reside in the new county for the term for which they have been so elected."

Adopted.

Also: Amend by adding at end of section four, line twenty-seven, the words: "In case no town or locality received a majority of all the votes cast, the town or locality designated by the Commissioners as the temporary county seat, shall be declared the county seat of the new county, and the county seat shall there remain until removed as provided by law."

Adopted.

Also: Amend by striking out of section four, lines twenty-five and twenty-six, the words "the highest number of votes," and inserting the following: "the majority of all the votes cast."

Adopted.

Senator Ford moved to amend as follows:

Amend section seven of the bill as printed by striking out from line eight the words "judgment of said court," and inserting in their place the words "certificate of said commission provided for in section two of this Act."

Adopted.

Also: Amend section seven of the bill as printed by adding thereto the words "and any county from which territory was taken to form said proposed new county shall thereupon become a county of the class provided by law for the population contained therein, as determined by the said commission provided for in section two of this Act."

Adopted.

Senator Gesford in the chair.

Also: On page five, line five, of section seven of the printed bill, strike out "a majority," and add "two thirds."

Adopted.

Also: On page six, line twelve of section seven of the printed bill, after the word "officers," insert: "*provided, however,* that where said new county is to be taken from more than one county the vote in that part of each of said counties proposed to be incorporated in said new county is to be canvassed separately, and unless the vote of each of said portions of said counties voting as aforesaid shall show a two-thirds vote in favor of said new county, the same shall not be created."

Adopted.

Senator Simpson moved to amend as follows:

Amend section eight, line three of the bill as printed, by inserting after the word "bond" the words "from the petitioners."

Adopted.

Senator Shippee moved to amend as follows:

By striking out of section eleven, lines twenty-six and twenty-seven, the words "and bridges erected or in process of erection."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on file for third reading.

At eleven o'clock and forty-five minutes A. M. the Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

SPECIAL ORDER.

Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

The bill having been read a third time on a previous day, the question was on the passage of Senate Bill No. 570.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

On motion of Senator Hart, the bill was ordered immediately transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 698—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 67—An Act to authorize State agricultural societies under the control of the State to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied—have had the same under consideration, and respectfully report the same back, and recommend the adoption of a substitute.

Also: Senate Bill No. 799—An Act to prevent and forbid owners of street railroads to require deposits from employes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 590—An Act appropriating money to pay the claim of B. McMahon & Son—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 68—An Act for the relief of F. E. Jackson, for personal injuries received by him while in the service of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FRANCK, Chairman.

Senate Bills Nos. 68, 448, and 590 referred to Committee on Finance.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bills Nos. 48, 58, 82, 114, 143, 188, 219, 245, 246, 355, 389, 469, 471, 475, 480, 490, 528, 650, 678, and 789—have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same, they having been disposed of in the general county government bill.

WITHINGTON, Chairman.

WITHDRAWALS.

By unanimous vote of the Senate, the following bills, on recommendation of the Committee on County Government and Township Organization, were ordered withdrawn from the Senate file of bills:

Senate Bill No. 48—An Act to amend section one hundred and eighty-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of county and township officers of counties of the nineteenth class.

Senate Bill No. 58—An Act to amend section one hundred and thirty-two of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the duties of County Recorder.

Senate Bill No. 82—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors.

Senate Bill No. 114—An Act to amend subdivision thirty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to appropriations to encourage immigration.

Senate Bill No. 143—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending sections fifty-seven and one hundred and eighty-six, relating to county officers, their appointment, duties, and compensation.

Senate Bill No. 188—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Senate Bill No. 219—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending subdivision twenty-nine and one half of section twenty-five thereof, relative to the powers of Boards of Supervisors.

Senate Bill No. 245—An Act to amend subdivision sixteen of section one hundred and ninety-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of official reporters in counties of the thirty-second class.

Senate Bill No. 246—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Senate Bill No. 355—An Act to provide for the formation, government, operation, and dissolution of street lighting districts in any part of the State, outside of the limits of incorporated cities and towns, for the lighting of streets and roads, the calling and conducting of elections in such districts, the assessment, levy, and collection, custody, and disbursement of taxes therein.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Senate Bill No. 469—An Act to amend section one hundred and forty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, said amended section relating to the duties of County Surveyors.

Senate Bill No. 471—An Act to amend section two hundred and two of an Act entitled "An Act to establish a uniform system of county and

township governments," approved March 24, 1893, relating to the compensation of county and township officers of counties of the fortieth class.

Senate Bill No. 475—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Senate Bill No. 480—An Act to amend section one hundred and forty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Senate Bill No. 490—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and seventy-three thereof, relating to counties of the eleventh class.

Senate Bill No. 528—An Act to amend subdivision four of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and ninety thereof, relating to county officers of the twenty-eighth class, their salaries, fees, and expenses.

Senate Bill No. 678—An Act fixing salary of official shorthand reporter of counties of the twenty-eighth class.

Senate Bill No. 789—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section fifty-eight, relating to township officers.

MOTION.

On motion of Senator Mathews, the Journal of yesterday was, by unanimous vote, corrected on page eleven, immediately after the roll call on the passage of Assembly Bill No. 142, so as to read: Senator Mathews gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 142 was this day refused final passage.

REPORT OF STANDING COMMITTEE.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions, recommend their adoption.

HART, Chairman.

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: The Sub-Committee on Hospitals, appointed to investigate the State Insane Asylums at Ukiah and Napa, the Home for Feeble-Minded Children, and the Veterans' Home, have visited said institutions and reported back the result of their investigation to the Senate, and now present their account for mileage, as follows:

Senator Toner.....	\$38 40
Senator Pedlar.....	38 40
Total.....	\$76 80

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A. J. Pedlar, Chairman of said committee, for the sum of seventy-six dollars and eighty cents, per above statement, said warrant to be so drawn upon the fund for contingent expenses of the Senate, and the Treasurer is ordered to pay the same.

The roll was called, and the resolution and report adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Mahoney, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—30.

NOES—None.

Also:

MR. PRESIDENT: The Sub-Committee on State Prisons and Prison Buildings, appointed to investigate and report upon the condition and needs of San Quentin State Prison, at San Quentin, Marin County, having visited said State Prison and reported back the result of their investigation to the Senate, now present their account for mileage, as follows:

Senator McAllister, 192 miles.....	\$19 20
Senator Mahoney, 192 miles.....	19 20
Senator Dunn, 192 miles.....	19 20
G. W. McIntyre, clerk, 192 miles.....	19 20
Total.....	\$76 80

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Elliott McAllister, Chairman of said sub-committee, for the sum of seventy-six dollars and eighty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

The roll was called, and the resolution and report adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was intrusted the duty of investigating the insane asylums at Ukiah and Napa, the Home for Feeble-Minded Children, and the Veterans' Home, desire to make a supplementary report to their report on mileage, by adding the name of J. F. Carrere, clerk, thirty-eight dollars and forty cents, which was accidentally omitted in the original report; therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. F. Carrere, clerk of said committee, for the sum of thirty-eight dollars and forty cents, as per above statement, said warrant to be so drawn upon the fund for contingent expenses of the Senate, and the Treasurer is directed to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Beard, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, and Whitehurst—29.

NOES—None.

Also:

Resolved, That the name of W. W. Collins be and is hereby substituted for that of W. J. Tuohy as Assistant Bookkeeper to the Sergeant-at-Arms, and the Controller is hereby instructed to draw his warrants hereafter in accordance therewith.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Beard, Bert, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Seymour, Shine, Smith, Toner, and Whitehurst—24.

NOES—Senators Androus, Burke, Pedlar, and Withington—4.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of fifty dollars and ninety-five cents, per vouchers hereto attached, the said warrant to be so drawn on the fund for the contingent expenses of the Senate:

SACRAMENTO, CAL., February 25, 1895.

The Senate of the State of California to H. C. CHIPMAN, Dr.:

To painting and lettering bulletin.....	\$15 00
Thirty inscriptions, at 25 cents.....	7 50
Total	\$22 50

SACRAMENTO, CAL., February 21, 1895.

L. F. BLACKBURN, Sergeant-at-Arms, Senate, to D. FALCONER, Dr.:

Three turned legs, at 40 cents.....	\$1 20
Two gross screws, at 75 cents.....	1 50
Fifty feet molding and chalk rail.....	2 50
Eighty feet ash and poplar, at 10 cents.....	8 00
Labor, glue, and brads.....	14 50
Two bolts, and drayage.....	75
Total	\$28 45

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, Mitchell, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst—26.
 NOES—None.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of fifty dollars and five cents, in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, as per vouchers hereto attached, said warrant to be so drawn on the fund for the contingent expenses of the Senate:

SACRAMENTO, CAL., February 23, 1895.

The Senate of the State of California to Union Ice Company, Dr.:

To 1,400 pounds of ice, at 1 cent	\$14 00
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SACRAMENTO, CAL., February 23, 1895.

State of California, Senate, to C. H. RAVE, Dr.:

Jan. 22—To 4 desk keys	\$1 40
Jan. 22—To 2 drawer keys	70
Jan. 22—To repairing lock	30
Jan. 24—To 1 desk key	35
Jan. 24—To 2 door keys, No. 26	1 00
Jan. 24—To 3 desk keys, Senate	1 05
Jan. 31—To 1 desk key, Senate	35
Feb. 4—To picking 2 locks 25c, repairing lock 25c, 1 key 35c	85
Feb. 5—To repairing chair, Sergeant-at-Arms	50
Feb. 7—To 3 keys, Senate Chamber	1 05
Feb. 13—To picking lock, 2 keys	95
Jan. 9—To 3 desk keys, each 35c	1 05
Jan. 9—To 2 drawer keys, each 35c	70
Jan. 10—To 3 desk keys for clerks, each 35c	1 05
Jan. 11—To 3 keys	1 05
Jan. 11—To 1 roller for chair	35
Jan. 14—To repairing drawer lock and 1 key, Sergeant-at-Arms	65
Jan. 14—To repairing chair	50
Jan. 15—To 2 drawer keys and repairing drawer	1 00
Jan. 15—To 1 door key 50c, table key 35c, Senate	85
Jan. 16—To repairing lock	50
Jan. 16—To 3 keys \$1 05, repairing lock 45c	1 50
Jan. 16—To 1 new desk lock	1 50
Jan. 16—To 6 door keys, No. 41	3 00
Jan. 16—To 1 desk key	35
Jan. 16—To repairing lock, No. 16	75

Jan. 17—To 1 chair roller.....	\$0 35
Jan. 17—To repairing window shade.....	75
Jan. 17—To 5 keys for clerks.....	2 25
Jan. 17—To 1 door key, room 75.....	75
Jan. 17—To 1 door key, room 31.....	35
Jan. 17—To 2 drawer keys.....	70
Jan. 17—To 9 keys, room 16.....	3 15
Jan. 18—To repairing chair.....	1 50
Jan. 18—To new roller on chair.....	35
Jan. 18—To 2 door keys.....	1 00
Jan. 18—To 1 desk key.....	35
Jan. 18—To repairing window shade.....	75
Jan. 19—To repairing chair.....	50
Total	\$36 05

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Pedlar, Seawell, Shine, Smith, Toner, and Withington—27.
 NOES—None.

RECESS.

The hour of recess having arrived, the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

The bill having been read a third time on a previous day, the roll was ordered called upon its final passage.

The roll was called, and pending the announcement of the vote Senator Simpson moved a call of the Senate.

AYES AND NOES.

The ayes and noes were demanded by Senators Biggy, Earl, and Toner.

The roll was called, and the Senate decided in favor of a call of the Senate by the following vote:

AYES—Senators Androus, Beard, Burke, Earl, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Mahoney, Mathews, Mitchell, Pedlar, Seymour, Shine, Simpson, Toner, and Withington—19.

NOES—Senators Aram, Arms, Bert, Biggy, Denison, Fay, Flint, Ford, Hoyt, Langford, Linder, McAllister, Orr, Seawell, Shippee, Smith, Voorheis, and Whitehurst—18.

The roll was then called, and the following Senators answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Senator Dunn, the only Senator not present, was, on yesterday, granted a leave of absence for this day.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President pro tem. thereupon announced that the Senate refused to finally pass Assembly Bill No. 35 by the following vote:

AYES—Senators Androus, Burke, Earl, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, Toner, and Withington—20.

NOES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Fay, Flint, Ford, Hoyt, Langford, Linder, McAllister, Orr, Seawell, Shippee, Smith, Voorheis, and Whitehurst—19.

At two o'clock and thirty minutes P. M. Hon. E. F. Bert, State Senator from the Twentieth District, was called to the chair.

THIRD READING OF BILL.

Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Senator Aram moved that the further consideration of Assembly Bill No. 55 be made a special order for Friday next, after the other special orders for that day are disposed of.

Lost.

Bill read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—Senators Aram, Hart, Hoyt, Langford, Pedlar, and Shippee—6.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 310—An Act to amend sections twenty-six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Also: Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to an account with the County Clerk as to the disbursement of money and property of estates.

Also: Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Also: Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code, relating to insane persons.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Also: Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land.

Also: Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over," approved March 12, 1885.

Also: Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 55—An Act to amend the Penal Code by adding a new section thereto, numbered four hundred and two, relating to the manufacture and sale of cigarettes.

Also: Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association, all money received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

Have had the same under consideration, and respectfully report the same as correctly enrolled.

SMITH, Chairman.

ASSEMBLY FILE—(RESUMED).

Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

The bill having been read a third time on a previous day, the roll was called, and Assembly Bill No. 75 refused final passage by the following vote:

AYES—None.

NOES—Senators Bert, Biggy, Burke, Denison, Earl, Fay, Franck, Gesford, Hart, Holloway, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—22.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed on file.

MOTION.

Senator Mathews, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Assembly Bill No. 142 was refused passage, moved that the vote be reconsidered.

RECONSIDERATION.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Earl, Ford, Franck, Gesford, Hart, Henderson, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, and Withington—24.

NOES—Senators Burke, Dunn, Fay, Gleaves, and Holloway—5.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Bill read for information.

The roll was called, and Assembly Bill No. 142 finally passed by the following vote:

AYES—Senators Androus, Bert, Biggy, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mathews, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, and Withington—23.

NOES—Senators Burke, Gesford, Martin, Simpson, Voorheis, and Whitehurst—6.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 765—An Act to promote and encourage ship building in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 639—An Act amendatory of an Act to regulate the hours of labor and the employment of minors—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HOLLOWAY, Chairman.

RECONSIDERATION.

Senator Simpson, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Assembly Bill No. 10 was refused final passage, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, Whitehurst, and Withington—25.

NOES—Senators McGowan, Orr, and Shippee—3.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Bill read for information.

The roll was called, and Assembly Bill No. 10 finally passed by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, and Withington—25.

NOES—Senators McGowan and Whitehurst—2.

Title read and approved.

SPECIAL ORDERS.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

On motion of Senator Burke, Senate Joint Resolution No. 8 was made a special order for consideration on Friday next, at three o'clock and thirty minutes P. M.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

On motion of Senator Hart, Assembly Bill No. 248 was made a special order for Wednesday next, at four o'clock P. M.

LEAVE OF ABSENCE.

Senators Seawell and Voorheis were, at four o'clock P. M., excused for the remainder of the day.

Hon. Thomas Flint, Jr., President pro tem., in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

Reports of standing committees were read as follows:

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WITHINGTON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State School books heretofore authorized, and directed to be made, and to provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 788—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount in addition to the amount of an annual expense for the forty-seventh fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 692—An Act to appropriate money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Also: Senate Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Also: Senate Bill No. 792—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Also: Senate Bill No. 428—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter for the years 1890, 1892, and 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 107—An Act to regulate the sale and manufacture of commercial fertilizers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 516—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over one hundred thousand inhabitants, from and after the first day of January, A. D. 1900—would say that it is the proper subject for the Board of Health and the Board of Supervisors of the City and County of San Francisco, and respectfully report the same back, and recommend that it do not pass.

FAY, Chairman.

STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred Senate Bill No. 778—An Act to amend an Act entitled "An Act to provide for the removal of the mineral cabinet from the State Library," approved March 9, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 617—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EARL, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 734—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Also: Senate Bill No. 797—An Act to provide for the change of grade, and for regrading and improving, in conformity with such change, the streets, lanes, alleys, courts, and places within municipalities.

Also: Senate Bill No. 620—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same or the proceeds of income thereof to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 22—Proposing an amendment to section thirteen, article one, of the Constitution of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 293—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BERT, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass, and with the request that it be read the first time, and forthwith transmitted to the printer, and be placed on special file.

SHIPPEE, Chairman.

Substitute for Senate Bill No. 787 ordered to print.

PETITIONS—(OUT OF ORDER).

The following petitions were presented, and ordered printed in Journal:
By Senator Androus:

POMONA, LOS ANGELES COUNTY, CAL., February 9, 1895.

The undersigned, voters of Thirty-eighth Senatorial District, and Notaries Public in and for the county of Los Angeles, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) J. E. McComas, F. P. Firey, A. H. Tufts, H. S. Finney, Oliver Youngs, J. W. Goodwin, J. A. Gallup, A. P. Nichols, E. Barnes, Walter A. Lewis, E. M. Keller.

By Senator Voorheis:

AMADOR COUNTY, CAL., February 11, 1895.

The undersigned, voters of Plymouth District, and Notaries Public in and for the county of Amador, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) J. J. Ekel, Notary Public in and for Amador County, Cal.; John Blower, Notary Public in and for Amador County; Allen McWayne, Notary Public in and for Amador County.

Also:

AMADOR COUNTY, CAL., February 12, 1895.

To Hon. E. C. VOORHEIS:

The undersigned, voters of Ione District, and Notaries Public in and for the county of Amador, California, recognizing the great responsibilities connected with their official acts, inasmuch as the title to every dollar's worth of real property in the State depends upon the care and correctness with which they perform said acts (as well as that of much of the personal property in the State when they are administering oaths, taking depositions, and protesting commercial paper); and believing that notarial fees are now none too large for such responsible duties, and that a reduction of said fees would tend to cause notarial work to pass into irresponsible and incompetent hands, respectfully request you, as one who has heretofore been a candidate for their suffrages, and who is now their representative in the law-making body of the State, to oppose, both by your vote and influence, the passage of what is known as Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

(Signed:) H. R. Bernard, Notary Public; J. W. Surface, Notary Public.

MOTION.

On motion of Senator Bert, Senate Bill No. 273—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relating to witnesses before grand juries—was re-referred to Committee on Judiciary.

RESOLUTION.

By Senator Withington:

Resolved, That the State Printer be instructed to print one thousand copies of Senate Bill No. 807 for the use of the Senate.

Adopted.

MOTIONS.

On motion of Senator McAllister, proposed Substitute for Senate Bill No. 391 was ordered printed forthwith.

On motion of Senator Hart, Senate Bill No. 778—An Act to amend an Act entitled "An Act to provide for the removal of the mineral cabinet from the State Library," approved March 9, 1887—was read first time.

Senator Bert gave notice that on to-morrow he would move to amend the Standing Rules of the Senate by striking out of Rule 34 all after and including the word "Cushing's," and inserting in lieu thereof "Crocker's Parliamentary Procedure."

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 250 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of February, passed Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Also: Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

Also: Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Also: Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills No. 257, 694, 436, and 437 ordered to enrollment, and Assembly Bill No. 501, on motion of Senator McAllister, was ordered on file without reference to a committee.

LEAVE OF ABSENCE.

Senator Orr was granted a leave of absence for the remainder of the day.

SPECIAL FILE.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed on file.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

The following committee amendment was submitted:

Amend by striking out of section one, line one, the words "ten thousand," and inserting the following: "seven thousand five hundred."

Adopted.

Bill read second time, ordered to engrossment and print as amended.

Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

The following committee amendments were submitted:

Amend by striking out of section one, line two, the word "five."

Adopted.

Also: Amend by striking out sections four and five, and adding a new section, to be numbered section four, to read as follows: "This Act shall take effect and be in force from and after January 1, 1896."

Adopted.

Bill read second time, and ordered to engrossment and print as amended.

Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read second time, and ordered to engrossment and on file for third reading.

Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

The following committee amendments were submitted:

Amend by striking out of section one, line one, the words "six thousand five hundred," and inserting the following: "four thousand."

Adopted.

Also: Amend by striking out of section three, line one, the words "place immediately on its passage," and inserting the following: "effect from and after January 1, 1896."

Adopted.

Also: Amend title by striking out the words "six thousand five hundred," and inserting "four thousand."

Adopted.

Bill read second time, ordered to print and engrossment as amended.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 6—An Act making an appropriation to pay deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Linder, Martin, Mathews, Mitchell, Seymour, Shine, Shippee, Toner, and Withington—24.

NOES—None.

Title read and approved.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Read third time, and on motion of Senator Mathews, was re-referred to Committee on Finance, but to retain its place on file.

Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Read third time.

Senator Gesford moved that Senator Earl be appointed a committee of one, with instructions to amend Senate Bill No. 43 as follows:

By striking out the words "and directed," on line two, section one, printed bill.

Also: Insert after the word "dollars," on line one of section two, printed bill, the words "or such portion thereof as may be necessary."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 43, with instructions to amend in accordance with the motion of Senator Gesford, respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of special committee of one and amendment adopted, and bill ordered to print.

Senate Bill No. 696—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Read second time, and on motion of Senator Gesford, was set as a special order for Wednesday, at three o'clock and thirty minutes P. M., to follow others.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to

the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed on file.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Passed on file.

Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to article nine of the Constitution, section six, relative to the public school system.

Passed on file.

Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section three of article twelve of the Constitution of the State of California, in relation to corporations.

Passed on file.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read first time.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Passed on file.

ADJOURNMENT.

At four o'clock and forty-six minutes P. M. the Senate adjourned, on motion of Senator Burke.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 27, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, February 26, 1895, the further reading was dispensed with, on motion of Senator Biggy.

MOTION.

On motion of Senator Seawell, Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers, in all municipal corporations of the third and fourth classes in the State of California—was made a special order for consideration on Friday next, at four o'clock P. M.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

The following amendments were submitted:

By Senator Seymour:

Amend by inserting in section one, line two, after the word "State," the words "not more than two of whom shall belong to the same political party."

Adopted.

The following committee amendment was submitted:

Amend section two, line one, of printed bill, by striking out of said line the words "the members," and inserting in lieu thereof the words "each member."

Adopted.

By Senator Earl:

Amend by striking out of section five, lines five and six, the words "Deaf, Dumb, and Blind Asylum at Berkeley, California."

AYES AND NOES.

The ayes and noes were demanded by Senators McGowan, Langford, and Gesford.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Gesford, Gleaves, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Shine, Shippee, Voorheis, and Whitehurst—23.

NOES—Senators Arms, Burke, Fay, Franck, Hart, Henderson, Langford, Orr, Seawell, Seymour, Smith, Toner, and Withington—13.

Hon. E. F. Bert, State Senator from the Twentieth District, was called to the chair.

Senator Androus moved to amend as follows:

Amend by striking out of section five, line seven, the words "Whittier State School, Whittier, California."

Senator Voorheis moved to amend the amendment as follows:

By adding thereto the words "and Preston School of Industry, at Ione."

Amendment to amendment accepted.

Senator Orr offered the following as a substitute for the amendment under consideration:

Amend by striking out all of section five.

The roll was called, and the substitute of Senator Orr adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Orr, Pedlar, Shine, Shippee, Voorheis, and Whitehurst—19.

NOES—Senators Arms, Biggy, Burke, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Langford, Linder, McAllister, Seawell, Seymour, Simpson, Smith, Toner, and Withington—18.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

Senator Pedlar moved to amend by inserting the following, to be known and numbered as section five:

Said Commissioners shall have a supervisory care of the following institutions: Mendocino Insane Asylum, Napa Insane Asylum, Stockton Insane Asylum, Agnews Insane Asylum, Southern California State Asylum for the Insane and Inebriates, Industrial Home of Mechanical Trades for the Adult Blind at Oakland, Home for the Care and Training of Feeble-Minded Children, Whittier State School, and Preston School of Industry.

They shall visit each of said institutions at least twice a year, and fully investigate their management in all departments, including a minute examination of the accounts and rosters.

They shall, for all institutions of a similar character, provide a uniform system of accounts. They shall devise methods of ready exchange among all institutions of the State, of the articles produced by the inmates of said institutions.

The immediate government of said institutions shall remain vested in Boards of Trustees as now provided by law.

Senator Voorheis arose to a point of order, viz.: that the amendment proposed by Senator Pedlar was germane to that just stricken from the bill.

The President pro tem. decided the point of order not well taken.

On motion of Senator Burke, the bill and all proposed amendments were re-referred to the Committee on Retrenchment and Public Expenditures.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

On motion of Senator Fay, Senate Bill No. 753 was reset as a special order for consideration on Friday next, immediately after the reading of the Journal.

RECONSIDERATION—(CONTINUED).

On motion of Senator Orr, the notice of reconsideration given by him on yesterday regarding the passage of Senate Bill No. 36, was set as a special order for Friday next, immediately after the reading of the Journal.

On motion of Senator McAllister, Senate Bill No. 285—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison,

consolidation of State Prisons, and making an appropriation therefor—was recalled from the Committee on Finance and re-referred to Committee on State Prison and Prison Buildings.

On motion of Senator Withington, Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses—was referred to the Committee on Finance.

On motion of Senator Voorheis, at eleven o'clock and fifty-eight minutes A. M., the hour of recess was extended until the various committees having reports to make made the same.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers" (approved March 30, 1878, and as amended by an Act approved March 10, 1887), and to add four new sections thereto, to be numbered twenty-four, twenty-five, twenty-six, and twenty-seven, relating to the powers and duties of such Commissioners.

Also: Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

SMITH, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 550—An Act to provide for the payment of the claim of Geo. H. Tay Company for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Assembly Joint Resolution No. 23—Relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

MAJORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 686—An Act for the protection of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FLINT.
SHINE.
VOORHEIS.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: The minority of your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 686—An Act for the protection of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

TONER.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 622—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Also: Senate Bill No. 737—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 738—An Act authorizing the State Board of Prison Directors to establish a school furniture factory at the Folsom State Prison, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

FLINT, Chairman.

Senate Bills No. 622, 737, and 738 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 779—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this state, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend the passage of a substitute.

Also: Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Your Committee on Judiciary, who have had under consideration Senate Bill No. 108—An Act to authorize the several counties of the State to provide for the construction and operation of railroads within their several counties, and to create a bonded indebtedness for that purpose—respectfully report that in connection with said bill, a brief by Hon. F. G. Finlayson, of Los Angeles, has been submitted in support of its constitutionality. As the said Act is a most important one, and its constitutionality a question of vital importance, prior to expressing an opinion thereon your committee would respectfully request the Senate to order said brief printed. It therefore reports for adoption the following resolution:

Resolved, That the State Printer be and he is hereby directed to print immediately two hundred and fifty copies of the accompanying opinion of Hon. F. G. Finlayson, with reference to the constitutionality of Senate Bill No. 108.

McGOWAN, Chairman.

Resolution adopted.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Assembly Concurrent Resolution No. 14—Relative to the distribution of "The Resources of California" by the State Board of Trade.

Also: Senate Bill No. 730—An Act to prevent the display of foreign flags on public buildings.

Also: Senate Bill No. 685—An Act to provide for the appointment and salary of an electrician and fireman.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ANDROUS, Chairman.

Senate Bill No. 685 re-referred to Committee on Finance.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Assembly Joint Resolution No. 11—Relative to the control of the maritime quarantine service at the port of San Francisco—have had same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Joint Resolution No. 17—Relative to the national conventions.

Also: Assembly Joint Resolution No. 16—Relative to the proposed Pacific cable.

Also: Senate Concurrent Resolution No. 14—Relative to the mode of removal of letter carriers, Post Office clerks, and railway postal clerks.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

Also: Assembly Joint Resolution No. 8—Relative to the annexation of the Republic of Hawaii—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BEARD, Chairman.

Senator Beard moved that the Senate proceed to consider Assembly Joint Resolution No. 8.

Senator McAllister moved as an amendment that it be made a special order for three o'clock and thirty minutes P. M. on Monday next.

Lost.

On motion of Senator McGowan, it was made a special order for three o'clock and thirty minutes P. M. this day.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 493—An Act to amend sections eight hundred and six and eight hundred and seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Concurrent Resolution No. 11—Relative to Special Committee on Constitutional Amendments, relating to revenue and taxation.

Also: Assembly Constitutional Amendment No. 3—Proposing an amendment to section twelve of article thirteen of the Constitution, relative to taxation and revenues, and the collection of State poll tax.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 783—An Act to add one new section to the title of the Civil Code, relating to cemetery corporations, to be numbered section six hundred and sixteen—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

On motion of Senator Gleaves, Senate Concurrent Resolution No. 7 was set for consideration as a special order at four o'clock and thirty minutes P. M.

RECESS.

At twelve o'clock and twenty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Linder was granted a leave of absence for the remainder of the day, on motion of Senator Seymour.

Senator Orr was granted a leave of absence for the remainder of the day, on motion of Senator Shippee.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

During the second reading of the bill, Senator Seymour was granted leave of absence for the remainder of the day.

The following committee amendment was submitted:

Amend section one, line nine, printed bill, by striking out the word "twelve," and inserting the following: "thirty-five."

Senator Withington moved an amendment to the amendment as follows:

Strike out of section one, line nine, the word "twelve," and insert the following: "twenty."

The ayes and noes were demanded, on its adoption, by Senators Withington, McAllister, and Burke.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Burke, Fay, McAllister, Simpson, Whitehurst, and Withington—6.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, Orr, Seawell, Shine, Shippee, and Toner—24.

The question then recurring on the adoption of the original amendment.

The ayes and noes were demanded by Senators Withington, McAllister, and Burke.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, Mathews, Orr, Seawell, Shine, Shippee, Toner, and Voorheis—22.

NOES—Senators Burke, Fay, McAllister, Pedlar, Simpson, and Withington—6.

The following committee amendment was submitted:

Amend section one, line ten, of printed bill, by striking out the word "eighteen" and inserting the following: "forty."

Adopted.

By Senator McGowan:

Amend by striking out of section one, line twelve, the word "thirteen," and inserting the following: "twenty."

Adopted.

By Senator Orr:

Amend by striking out of section one, line thirty-nine, the word "ten," and inserting the following: "five."

Adopted.

By committee:

Amend section one, line sixty-nine, by striking out the word "fourteen," and inserting the following: "twenty."

Adopted.

Also: Amend by striking out of section one, line seventy-seven, the word "two," and inserting the following: "eight."

Adopted.

Also: Amend by striking out of section one, lines seventy-eight, seventy-nine, and eighty, and inserting the following: "For lighting Capitol grounds, two thousand four hundred dollars."

Adopted.

By Senator Orr:

Amend by striking out of section one, lines one hundred and twenty-eight and one hundred and twenty-nine, the words "one thousand two hundred," and inserting the following: "three thousand."

AYES AND NOES.

The ayes and noes were demanded by Senators Biggy, Langford, and Mathews.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Androus, Denison, Flint, Hart, Hoyt, McGowan, Seawell, Shine, Smith, and Whitehurst—10.

NOES—Senators Aram, Arms, Beard, Biggy, Burke, Fay, Franck, Gesford, Langford, Mathews, McAllister, Orr, Pedlar, Simpson, Voorheis, and Withington—16.

Senator Orr moved that the Senate immediately proceed to reconsider the vote whereby the last amendment was lost.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Flint, Gleaves, Hart, Hoyt, Mahoney, McGowan, Orr, Pedlar, Seawell, Shippee, and Whitehurst—15.

NOES—Senators Aram, Arms, Biggy, Burke, Fay, Franck, Gesford, Henderson, Holloway, Mathews, McAllister, Seymour, Simpson, Smith, Toner, and Voorheis—16.

By committee:

Amend by striking out of section one, line one hundred and forty-one, the words "one hundred and eighty-five," and inserting the following: "two hundred."

Adopted.

By Senator McGowan:

Amend by striking out of section one, line one hundred and forty-two.

AYES AND NOES.

The ayes and noes were demanded by Senators McGowan, Bert, and Biggy.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Arms, Beard, Fay, Franck, Martin, McGowan, Seawell, and Whitehurst—8.

NOES—Senators Aram, Androus, Bert, Biggy, Burke, Denison, Flint, Gesford, Gleaves, Holloway, Hoyt, Langford, Mahoney, Mathews, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—25.

By committee:

Amend by striking out of section one, lines one hundred and forty-three and one hundred and forty-four.

Adopted.

Also: Amend by striking out of section one, line one hundred and forty-seven, the word "forty-four," and inserting the word "fifty."

AYES AND NOES.

The ayes and noes were demanded by Senators Voorheis, Denison, and Burke.

The roll was called, and the motion to amend carried by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Denison, Earl, Flint, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McGowan, Seymour, Voorheis, and Whitehurst—18.

NOES—Senators Beard, Burke, Fay, Franck, Gesford, Gleaves, McAllister, Orr, Seawell, Shippee, Simpson, and Withington—12.

By committee:

Amend by striking out of section one, line one hundred and forty-nine, the word "twenty," and inserting the following: "forty."

AYES AND NOES.

The ayes and noes were demanded by Senators Gleaves, Withington, and Denison.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Hart, Henderson, Hoyt, Langford, Mahoney, Mathews, McAllister, McGowan, Seawell, Shine, Shippee, Toner, and Voorheis—22.

NOES—Senators Burke, Fay, Franck, Gesford, Gleaves, Orr, Pedlar, Seymour, Simpson, Whitehurst, and Withington—11.

By committee:

Amend section one by inserting between lines one hundred and fifty-eight and one hundred and fifty-nine the following words: "For traveling and contingent expenses and attorney's fees of the Insurance Commissioner, four thousand dollars."

Adopted.

By Senator McAllister:

Amend by striking out of section one, lines one hundred and seventy-six and one hundred and seventy-seven.

Lost.

Senator Bert in the chair.

By committee.

Amend by striking out of section one, line one hundred and eighty-one, the word "ten," and inserting the following: "twenty."

Adopted.

Also: Amend by striking out of section one, lines one hundred and eighty-six and one hundred and eighty-seven, the words "three hundred and seventy-four thousand four hundred and ninety dollars," and inserting the following: "four hundred thousand dollars."

Adopted.

Also: Amend by striking out of section one, line one hundred and eighty-eight, the word "sixty-two," and inserting the following: "seventy."

Adopted.

By Senator Seawell:

Amend by striking out of section one, line one hundred and eighty-nine, page seven of amended bill, all after the word "and"; and by striking out all of line one hundred and ninety of said section, and inserting the following: "eighty thousand six hundred and seventy-five dollars."

Adopted.

By committee:

Amend section one, line two hundred and four, by striking out the words "and fifty."

Adopted.

Also: Amend section one, line two hundred and nine, by inserting after the words "purchase of," the word "periodicals."

Adopted.

By Senator Whitehurst:

Also: Amend by striking out of section one, line two hundred and nine, all after the word "library," and all of line two hundred and ten of the printed bill, and inserting the following: "museum and furniture at San José Normal School, seven thousand dollars."

Adopted.

By Senator Mathews:

Amend by inserting "and periodicals" after the word "apparatus," in line two hundred and twelve of section one.

Adopted.

Senator Orr in the chair.

Senator Seawell moved that the consideration of Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—set as a special order for consideration at four o'clock P. M. this day, be reset as a special order for Friday next, at two o'clock P. M.

So ordered.

Also: Amend section one, line two hundred and thirteen, by striking out "two thousand dollars," and inserting "four thousand five hundred dollars."

Adopted.

By Senator Shippee:

Amend section one, line two hundred and sixteen, by inserting "and periodicals" after the word "apparatus," in line two hundred and sixteen.

Adopted.

Also: Amend section one by inserting between lines two hundred and nineteen and two hundred and twenty the words "For use of State Board of Horticulture, ten thousand four hundred dollars."

Adopted.

By Senator Voorheis:

Amend section one by inserting between lines two hundred and nineteen and two hundred and twenty, the following: "For salary of the Secretary of the State Board of Horticulture, four thousand two hundred dollars."

Adopted.

Also: Amend section one by inserting between lines two hundred and nineteen and two hundred and twenty the following: "For salary of Clerk to the Secretary of State Board of Horticulture, one thousand two hundred dollars."

Adopted.

Also: Amend section one by inserting the following: "For salary of Clerk to the Publishing and Quarantine Bureau, State Board of Horticulture, four thousand two hundred dollars."

Adopted.

By Senator Shippee:

Amend by inserting between lines two hundred and nineteen and two hundred and twenty, section one, the following: "For use of the State Board of Viticulture, twenty-five hundred dollars."

Adopted.

By Senator Hart:

Amend by inserting between lines two hundred and thirty-four and two hundred and thirty-five, printed bill, the following: "For aid to State Agricultural Society, forty thousand dollars; *provided*, that the State Agricultural Society maintain a statistical department, for the annual collection, compilation, and distribution of statistics relating to the products and resources of the State."

Adopted.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Earl, Flint, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, McGowan, Seymour, Shippee, and Toner—19.

NOES—Senators Burke, Denison, Fay, Franck, Holloway, Martin, Mathews, Pedlar, Shine, Simpson, Voorheis, Whitehurst, and Withington—13.

Senator Gleaves moved that the Senate proceed to reconsider the vote whereby the amendment offered by Senator Hart was just adopted.

The roll was called, and the reconsideration refused by the following vote:

AYES—Senators Burke, Denison, Fay, Franck, Gleaves, Holloway, Martin, Simpson, Voorheis, Whitehurst, and Withington—11.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Earl, Flint, Gesford, Hart, Hoyt, Langford, Mahoney, Mathews, McGowan, Pedlar, Seymour, Shine, and Shippee—19.

By committee:

Amend section one, line two hundred and thirty-four, by inserting after the word "dollars" the following: "*provided*, that no money herein appropriated shall be used to maintain or support an office or salaried officer at any other place than the Home at Yountville."

Senator Gesford offered the following as a substitute for committee amendment:

Amend section one by striking out lines two hundred and thirty-six, two hundred and thirty-seven and two hundred and thirty-eight, printed bill, and inserting in lieu thereof the following: "For the support and maintenance of the Veterans of the Mexican and Civil Wars, in indigent circumstances, residing in the Veterans' Home at Yountville, under the auspices of the Veterans' Home Association, the sum of ninety thousand dollars; *provided*, that no money herein appropriated shall be used for the support or maintenance of any office or any salaried officer at any other place than at the Home at Yountville; *and provided further*, that the Board of Directors of said Veterans' Home Association shall contract for all supplies purchased for said Home by virtue of this appropriation, after having first advertised for such contracts for two consecutive weeks before the letting thereof, in one newspaper published in the City and County of San Francisco, one newspaper published in the city of Sacramento, and one newspaper published in the county of Napa, which said advertisement shall state the time, place, and conditions of the letting of such contracts; *and provided further*, that all such contracts shall be for a period of not less than six nor more than twelve months, and shall be awarded to the lowest responsible bidder at a public letting thereof."

AYES AND NOES.

The ayes and noes were demanded by Senators Biggy, Voorheis, and Gesford.

The roll was called, and the motion to amend carried by the following vote:

AYES—Senators Arms, Androus, Beard, Biggy, Burke, Denison, Fay, Franck, Gesford, Hoyt, Langford, Martin, Mathews, Pedlar, Shippee, Toner, Voorheis, Whitehurst, and Withington—19.

NOES—Senators Bert, Earl, Flint, Hart, Holloway, McAllister, McGowan, Seymour, Shine, and Simpson—10.

On motion of Senator Gleaves, the consideration of Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State—set as a special order for consideration at four o'clock and thirty minutes P. M. this day, was reset as a special order for Friday next, for consideration immediately after the reading of the Journal.

On motion of Senator Withington, the consideration of Senate Bill No. 696—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State—set as a special order for three o'clock and thirty minutes P. M. this day, was made a special order for Friday next, at three o'clock and thirty minutes P. M.

Senator Voorheis moved that Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—be set as a special order for consideration at two o'clock P. M. to-morrow.

There being no objections, the President pro tem. ordered that all special orders set for consideration this day not already disposed of by action of the Senate, would be reset as special orders for consideration on Friday next, immediately after reading the Journal.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings, for municipal purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FAY, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 83—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers—have had the same under consideration, and report that the same is a claim, and properly belongs to the Committee on Claims, and we respectfully recommend that the same be referred to the said Committee on Claims.

Also: Senate Bill No. 292—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and six, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty-eight, and two thousand and eighty-three of the Political Code of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard.

Also: Senate Bill No. 348—An Act to amend an Act entitled "An Act to establish a Naval Battalion, to be attached to the National Guard of California."

Also: Senate Bill No. 488—An Act to establish a Naval Brigade, to be attached to the National Guard of California.

Also: Senate Bill No. 589—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen,

one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, one thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, two thousand and eighty-two, two thousand and ninety-four, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard, and to provide for the retirement and disposition of certain officers thereof.

Also: Senate Bill No. 661—An Act to amend section one thousand nine hundred and fifty-two of the Political Code, relating to the National Guard.

Also: Senate Bill No. 663—An Act to amend sections one thousand eight hundred and ninety-eight, one thousand nine hundred, one thousand nine hundred and twelve, one thousand nine hundred and fifteen, one thousand nine hundred and sixteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-eight, one thousand nine hundred and thirty-seven, one thousand nine hundred and forty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, one thousand nine hundred and sixty-eight, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-one, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty, two thousand and twenty-two, two thousand and twenty-three, two thousand and twenty-nine, two thousand and thirty, two thousand and thirty-one, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, two thousand and eighty-two, two thousand and ninety-four, and two thousand one hundred and five of the Political Code of the State of California, and in relation to the National Guard of California; to amend sections seven hundred and twenty-eight and seven hundred and twenty-nine of the Penal Code of the State of California, all in relation to the National Guard of California; to repeal sections one thousand nine hundred and two, one thousand nine hundred and thirteen, one thousand nine hundred and thirty-eight, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, two thousand and six, two thousand and forty-eight, two thousand one hundred and one, two thousand one hundred and nine, and two thousand one hundred and ten of the Political Code of the State of California, and in relation to the National Guard of California; to add one new section, to be known as section two thousand one hundred and two of the Political Code of the State of California, and relating to the National Guard of California.

Also: Senate Bill No. 691—An Act entitled an Act to amend section one thousand nine hundred and eighty of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute which accompanies this report be adopted in lieu of the said bills.

BERT, Chairman.

Senate Bill No. 83 referred to Committee on Claims.

RESOLUTION.

By Senator Withington:

Resolved, That Hiram Clock and E. Cowan be appointed additional Porters to the Sergeant-at-Arms, at a compensation of four dollars per day for sixty days, the said compensation to be paid out of the contingent expenses of the Senate, the amount of the same to be deducted proportionately from the pay of each Senator and each officer and attaché of the Senate for the week ending March 2, 1895.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)—RESUMED.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, during its recent examination of a number of State institutions, investigated the cost of fuel in each, which they ascertained was one of the principal items of expense. The advisability of using crude petroleum instead of coal or wood was considered. At the State School at Whittier, and the Insane Asylum at Highland, the substitution of crude petroleum for coal or wood has brought about a saving of fifty per cent in the expenditure for fuel. A ton of steam coal is equal to two cords of good wood, or three barrels of crude oil worth from eighty cents to one dollar a barrel. Taking the price of coal as shown by the books of the asylums at Napa or Ukiah, or the Home for Feeble-Minded Children at Glen Ellen, there is a difference, aside from freight, of from three dollars to five dollars on the heating power of every three barrels of oil, taken at the highest price for oil and compared with coal or wood at their lowest price. There are many other advantages in favor of the use of oil besides its cheapness, and we believe the various authorities in charge of the several institutions should give the question of the use of crude petroleum their careful attention, especially as most of the State institutions can be reached by water routes, which means low freight rates.

ANDROUS, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

RESOLUTIONS.

By Senator Hart :

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of thirteen dollars and forty cents in favor of F. J. Brandon, Secretary of the Senate, for stamps and typewriting paid for and done for the Senate, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved by the Senate, That Hiram Clock, having performed, and still continues to perform the duties of Porter, commencing from January 14, 1895, the sum of four dollars per day, commencing from said January fourteenth, is hereby allowed him, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

INTRODUCTION OF BILL.

By unanimous vote of the Senate, the provisions of the Constitution relating to the time when bills may be introduced were suspended, and permission granted Senator Mathews to introduce Senate Joint Resolution No. 15, relating to providing for the Governor, his staff, and other representatives visiting Chickamauga, Georgia, and Chattanooga, Tennessee, at the dedication of the National Military Park, which was referred to Committee on Federal Relations and Immigration.

By Senator Mathews:

SENATE JOINT RESOLUTION No. 15.

WHEREAS, Under an Act of Congress approved December 15, 1894, it is provided that the dedication of the Chickamauga and Chattanooga National Military Park shall take place at Chickamauga, Georgia, and Chattanooga, Tennessee, on the nineteenth and twentieth of September ensuing; and whereas, the Hon. Secretary of War, in pursuance of the provisions of said Act, has invited the Governor of California to be present with his staff on the occasion, soliciting also "such further representation from your State as the Legislature thereof may see fit to authorize", therefore, be it

Resolved by the Senate, the Assembly concurring, That the Governor be and he is hereby requested and empowered to appoint from the citizenship of the State, such number of representatives as in his judgment may be appropriate to assist himself and his staff, as the official delegates from California at the celebration mentioned.

RESOLUTION.

By Senator Androus:

Resolved, That the name of J. F. Knapp be and is hereby substituted for that of W. W. Collins upon the pay-roll for the remainder of this session, vice W. W. Collins, substituted for W. J. Touhey as bookkeeper to the Sergeant-at-Arms.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At five o'clock and forty-five minutes P. M. the Senate, on motion of Senator Hart, adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 28, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, February 27, 1895, the further reading was dispensed with, on motion of Senator Bert.

LEAVE OF ABSENCE.

Senators Martin, Earl, Withington, and Henderson were excused temporarily, for attendance on committee work.

Senator Gleaves was granted a leave of absence for the day.

APPROVAL OF JOURNALS.

The Journals of Monday, February 25, 1895, and Tuesday, February 26, 1895, were approved.

SPECIAL URGENCY FILE.

Senate Bill No. 289—An Act providing for the improvement of streets and roads and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts where the population is at least five hundred, and the manner of ascertaining said population.

The bill having been read a third time on a previous day, the roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Hart, Holloway, Hoyt, Langford, Linder, Mathews, Orr, Shine, Simpson, Toner, and Voorheis—24.

NOES—Senators McGowan and Seymour—2.

Title read and approved.

On motion of Senator Langford, and by unanimous consent, the Senate proceeded to consider Senate Bill No. 243.

THIRD READING OF BILL.

Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds thereof by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Senator Langford was appointed a special committee of one to amend the bill, as follows:

By inserting after the word "that," in section six, line four, the following: "not less than."

Also: By inserting after the word "payable" in section six, line six, the following: "either in gold coin or other lawful money of the United States as may be expressed in such bond."

Also: By striking out of section seven, lines two and three, the words "in gold coin of the United States."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 243, with instructions to amend, respectfully reports the same back, amended as per instructions.

LANGFORD, Committee.

Report of committee of one and amendment adopted.

Bill read third time, ordered printed and reëngrossed as amended, and on file for passage.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file.

Senate Bill No. 29—An Act directing the State Board of Harbor Com-

missioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

Committee Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Senator Gesford moved that the bill be made a special order for consideration for three o'clock and thirty minutes P. M. this day, to follow the consideration of the "Appropriation Bill."

Senator Bert moved as an amendment that it be set for consideration on Saturday, immediately after the reading of the Journal.

Amendment carried.

THIRD READING OF BILLS.

Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—29.

NOES—None.

Title read and approved.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Read third time, and passed by the following vote:

AYES—Senators Androus, Beard, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Hart, Hoyt, Linder, Mathews, McAllister, Orr, Seawell, Shippee, Simpson, Voorheis, and Whitehurst—21.

NOES—None.

Title read and approved.

Senator Mathews moved that the provisions of the Constitution relating to the time when bills may be introduced be suspended, and permission be granted him to introduce a bill.

The roll was called, and the constitutional provisions suspended by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, McGowan, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, and Voorheis—30.

NOES—None.

INTRODUCTION OF BILL.

By Senator Mathews: Senate Bill No. 875—An Act to authorize counties of the first and second class to build railroads, and to lease or operate the same.

Referred to Committee on Judiciary.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

Read first time.

During the second reading of the bill, the following amendments, suggested by the committee, were read:

Amend section one, line two of printed bill, by inserting after the word "ten" the words "and one half."

Adopted.

Also: In line three, after figures "310," insert " $\frac{1}{2}$."

Adopted.

Also: Insert after the word "labor" in line five, the words "as a barber."

Adopted.

Bill read second time, ordered engrossed and to print as amended, and on file for third reading.

THIRD READING OF BILL.

Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for the conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Senator Bert in the chair.

Bill read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, Orr, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—28.
NOES—None.

Title read and approved.

PASSAGE OF BILL.

Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

The bill having been read a third time on a previous day, the roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Pedlar, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—29.
NOES—None.

Title read and approved.

THIRD READING OF BILL.

Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

During the third reading of the bill, Senator Voorheis moved that Senator Denison be appointed a special committee of one to amend as follows:

Amend section one, line twelve, by inserting immediately after the word "near," the words, "with equal power and facilities for seeing and hearing the proceedings in the case."

Also: Amend section one, line twelve, by inserting immediately after the word "and," where it occurs in said line twelve, the word "shall."

Also: Amend section one, line thirteen, by inserting immediately after the word "cause," the following: "in company with the other jurors."

Also: Amend section one, line fifteen, by inserting in said line, immediately after the word "Court," where that word occurs the second time in said line, the following: "but if the regular jurors are ordered to be kept in the custody of the Sheriff during the trial of the cause, such alternate jurors shall also be kept in confinement with the other jurors."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred the Substitute for Senate Bill No. 544, with instructions to amend, respectfully reports the same back, amended as per instructions.

DENISON, Committee.

Report of committee of one and amendments adopted.

Bill read third time, and ordered to print and reëngrossment as amended, and on file for passage.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

On motion of Senator Withington, the consideration of the bill was set as a special order for Tuesday next, immediately after the reading of the Journal.

Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

During the third reading of the bill, Senator Shine moved that Senator Voorheis be appointed a special committee of one to amend the bill as follows:

By striking out of line five, section six, the word "twelve," and inserting in lieu thereof the word "fourteen."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 148, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Report of committee of one and amendment adopted.

Bill read third time, ordered to print and reëngrossment as amended, and on file for passage.

THIRD READING OF BILLS.

Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Read third time, and passed by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Hoyt, Linder, Mahoney, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Senator Bert in the chair.

During the third reading of the bill, Senator Burke moved that Senator Simpson be appointed a special committee of one to amend as follows:

By striking out of section one, line two thereof, the words "or more counties," and inserting in lieu thereof the word "county."

Also: Strike out of lines nine and ten thereof the words "or counties."

On motion of Senator Ford, further consideration of the bill was made a special order for three o'clock and thirty minutes P. M. this day.

Senator Voorheis moved that the vote whereby Senate Bill No. 148 was amended be reconsidered, as the amendment was an error, as section one of the bill provided for the amendment that was adopted.

At eleven o'clock and fifty-five minutes A. M. Senator Withington moved that the hour of recess be extended until the matter under consideration, and the reading of messages from the Assembly, be disposed of.

So ordered.

The roll was then called, and the Senate decided to reconsider the vote whereby the report of the special committee of one amending Senate Bill No. 148 was adopted, by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Senator Voorheis thereupon moved that the report of the special committee of one be not adopted.

Report and amendment refused adoption.

Senator Voorheis moved that the bill be placed on its passage.

So ordered.

PASSAGE OF BILL.

Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

The roll was called, and the bill passed by the following vote:

AYE—Senators Androus, Beard, Bert, Biggy, Dunn, Fay, Ford, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Seawell, Shine, Shippee, Toner, Voorheis, and Whitehurst—26.
NOES—Senators Burke, Franck, Seymour, and Simpson—4.

Title read and approved.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers in this State.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of February, passed Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of February, refused the final passage of Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of February, passed Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Also: Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Also: Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-seventh and forty-eighth fiscal years.

Also: Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth of February, amended, and passed as amended, Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

S. J. DUCKWORTH, Chief Clerk.

The question being, "Shall the Senate concur in the Assembly amendment to Senate Bill No. 529?"

The amendment was read, as follows:

Amend by striking out of section one, line five, the words "one hundred," and inserting the following: "seventy-five."

AYES AND NOES.

The ayes and noes were demanded by Senators Gesford, Biggy, and Hoyt.

The roll was then called, and the Senate refused to concur in the amendment by the following vote:

AYES—Senators Biggy, Burke, Fay, Gesford, Langford, Mathews, McAllister, Seawell, Simpson, Whitehurst, and Withington—11.

NOES—Senators Aram, Andrews, Beard, Bert, Denison, Dunn, Flint, Ford, Franck, Hart, Hoyt, Mahoney, Martin, McGowan, Orr, Seymour, Shippee, and Toner—18.

Senator Withington moved that Assembly Bill No. 681 be now read without reference to committee.

So ordered.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Read first time, and ordered on file for second reading.

Assembly Bills Nos. 676 and 700 were referred to Committee on Finance.

Senate Bills Nos. 313, 24, 365, 110, 438, 88, and 3, were ordered to enrollment.

RESOLUTIONS—(OUT OF ORDER).

By Senator Ford:

Resolved, That R. A. May be and is hereby allowed the sum of forty-five dollars for nine days' services as Bill Filer to the Senate, from January 7th to January 16th, payable out of the fund for contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is ordered to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Bert:

Resolved, That on and after Monday, March 4, 1895, the Senate shall hold evening sessions, beginning at seven o'clock and thirty minutes P. M.; *provided*, that no evening session shall be held on Saturdays.

Referred to Committee on State Library and Rules.

RECESS.

At twelve o'clock and thirty minutes P. M. a recess was declared until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Finance respectfully submit an extended report showing the amount of money annually paid by the State of California for salaries, and the number of persons on the pay-roll in each department and institution of the State government. In order to present the report with a fair degree of accuracy, close examination of pay-rolls in the Controller's office has been required. The work was of greater magnitude than the committee anticipated, and correctness in every detail is not vouched for, as the limited time of the session does not permit revision and verification of the work.

In the main the figures are correct, and approximately set forth the annual outlay of the State for salaries. It will be observed that the sum of \$4,005,721 89 is charged to the annual salary account of common schools, which is very nearly twice as much money as the State appropriates for school purposes; but as the funds contributed by counties and districts are merged into the amount distributed by the State to the counties, it is impossible to ascertain the percentage of State allowance paid for salaries. The committee therefore take the figures given on page fifteen of the Sixteenth Biennial Report of the Superintendent of Public Instruction, which place the whole amount expended for salaries in 1894 at \$4,005,721 89.

The amount expended by the State University for salaries largely exceeds the amount raised by the one cent tax for the institution. It is obvious, therefore, that the University taxes other sources of its revenue to pay salaries. The committee, without going into extensive inquiry, copies the table from pages sixty-seven, sixty-eight, and sixty-nine of the annual report of the Secretary of the Board of Regents for the year ending June 30, 1894.

In the State Printing Office the number of employes, such as compositors, folders, finishers, pressmen, etc., is very large during the session of the Legislature, and the February pay-roll embraces the names of two hundred and forty people. A great saving could be effected in the State Printing Office, if the reports from the various institutions and departments were edited, condensed, and put into proper form before going into the hands of the compositor. Correction, revision, and elimination after the matter has been placed in type, constitute an important item of expense.

The committee, reviewing the entire field of expenditure, is convinced that salaries, as a rule, are excessive, and that the number of persons on the pay-roll is greater than the public service demands. It is perfectly clear to the committee that effective retrenchment of a permanent character cannot be accomplished without a thorough revision of the State pay-roll, and a large reduction in the number of persons employed. The pay-roll is so large in itself, that little money is left for other purposes of government after provision is made for salaries.

VOORHEIS, Chairman.

<i>Executive Office—</i>	
Governor and four clerical assistants.....	\$15,400 00
<i>Board of Examiners—</i>	
Secretary and two clerical assistants.....	6,880 00
<i>Secretary of State—</i>	
Secretary and six clerical assistants.....	11,600 00
<i>Controller's Office—</i>	
Controller and seven clerical assistants.....	15,880 00

<i>Treasurer's Office—</i>		
Treasurer and five clerical assistants.....	\$13,080 00	
<i>Attorney-General's Office—</i>		
Attorney-General and five clerical assistants.....	13,880 00	
<i>Surveyor-General's Office—</i>		
Surveyor-General and five clerical assistants.....	12,280 00	
<i>Public Instruction—</i>		
Superintendent and three clerical assistants.....	9,080 00	
<i>Board of Health—</i>		
Secretary and attorney.....	5,500 00	
<i>State Library—</i>		
Librarian and two clerical assistants.....	7,080 00	
<i>Adjutant-General—</i>		
General and two clerical assistants.....	6,600 00	
Insurance Commissioner and deputy.....	4,800 00	
Railroad Commissioners and five clerical assistants.....	15,600 00	
Board of Equalization and clerical assistants.....	14,400 00	
Guardian and Secretary of Yosemite Valley.....	3,000 00	
Labor Commissioner and clerical assistants.....	9,100 00	
<i>Supreme Court—</i>		
Justices and clerical assistants.....	75,580 00	
Supreme Court Commissioners.....	30,000 00	
State Capitol employés.....	32,180 00	
Superior Court Judges.....	160,000 00	
<i>Board of Horticulture—</i>		
Secretary and clerical assistants.....	4,800 00	
Bank Commissioners and clerk.....	12,600 00	
Building and Loan Association Commissioners.....	4,800 00	
Guardian Marshall Monument.....	600 00	
Commissioner Public Works and clerk.....	5,800 00	
Debris Commissioners and clerk.....	5,100 00	
State Harbor Commissioners and employés.....	25,500 00	
San Diego Harbor Commissioners and employés.....	2,100 00	
<i>State Printing Office—</i>		
State Printer.....	3,000 00	
Compositors, binders, engravers, and miscellaneous em- ployés.....	111,246 00	
State School Text-Book Department.....	5,880 00	
		\$505,686 00
<i>State Mining Bureau (Geological)—</i>		
State Mineralogist.....	\$3,000 00	
Custodian and Secretary.....	1,800 00	
Librarian.....	1,500 00	
Clerks.....	2,100 00	
Janitor.....	900 00	
		9,300 00
<i>State Mining Bureau—</i>		
Chemist.....	\$2,400 00	
Field assistants.....	3,600 00	
Statistician.....	1,200 00	
		7,200 00
<i>State Viticultural Commissioners—</i>		
Chief Executive Officer.....	\$1,800 00	
Secretary and assistant.....	1,800 00	
Janitor.....	720 00	
		4,320 00
Per diem and mileage of Lieutenant-Governor, Senators, and Assemblymen, every two years.....		63,500 00
Salary of attachés of the Legislature, every two years.....		80,000 00
Officers and clerks of the Legislature, every two years.....		16,000 00
Amount annually paid from the State and county funds or salaries of school teachers.....		4,005,721 00
<i>Napa Insane Asylum—</i>		
Physicians (4).....	\$10,249 00	
Secretary.....	1,800 00	
Stewards (2).....	3,000 00	
Treasurer.....	600 00	
Matrons (2).....	1,500 00	
Supervisors (2).....	1,500 00	
Druggist.....	900 00	
Engineer.....	1,500 00	
Carpenters (2).....	1,920 00	
Seamstress.....	600 00	
Laundresses (4).....	2,160 00	
Laundrymen (2).....	1,176 00	
Male and female attendants (91).....	43,080 00	

Night Watches (9)	\$4,860 00
Cooks and bakers (11)	5,569 00
Firemen (3)	2,160 00
Plumber and tinner (2)	1,140 00
Blacksmith	720 00
Foreman	900 00
Gardener	600 00
Messenger	540 00
Hostler	540 00
Teamster	480 00
Dairyman	420 00
Laborers (8)	2,100 00
Waiters (7)	1,860 00
Porter	360 00

\$92,234 00

Stockton Insane Asylum—

Physicians	\$3,500 00
Assistant Physicians	7,084 00
Apothecary	1,020 00
Secretary	1,800 00
Stenographer	600 00
Steward	1,800 00
Clerk	900 00
Storekeeper	600 00
Supervisor	960 00
Assistant Supervisor	720 00
Porter	480 00
Attendants, male (50)	24,676 00
Yard attendants (2)	960 00
Night attendants (2)	1,440 00
Watchmen (2)	1,440 00
Waiters (2)	960 00
Engineers (5)	3,180 00
Fireman	600 00
Plumbers (4)	2,940 00
Blacksmith	480 00
Laundryman and laundress	2,040 00
Mechanic	720 00
Shoemaker	600 00
Mattress-maker	360 00
Plasterer	60 00
Mail carrier	60 00
Painter	720 00
Carpenters (3)	1,980 00
Gardeners	4,890 00
Sewer tender	600 00
Dairyman	720 00
Coachman	480 00
Teamster	420 00
Cooks and bakers (14)	7,500 00
Matrons (2)	1,500 00
Attendants, female (37)	17,280 00
Seamstress	540 00
Portress	420 00
Waitresses (2)	780 00
Superintendent's housemaid	300 00
Doctors' cooks (2)	600 00
Directors' expenses	974 00
Treasurer	600 00

100,284 00

Agnews State Insane Asylum—

Physicians	\$6,000 00
Secretary to Physicians	1,800 00
Steward	1,800 00
Clerk	900 00
Storekeeper	900 00
Supervisor	900 00
Druggist	720 00
Engineers (2)	1,800 00
Firemen and gasman	1,200 00
Carpenter	1,080 00
Cooks and bakers (6)	3,420 00
Laundrymen and laundresses (5)	2,520 00
Attendants (51)	17,890 00
Usher	480 00
Porter	480 00

Watchmen (3).....	\$1,620 00
Farmer.....	600 00
Dairyman.....	600 00
Gardeners (2).....	1,140 00
Hostler.....	420 00
Waiters (3).....	960 00
Laborers (7).....	2,280 00
Shoemaker.....	180 00
Matron.....	720 00
Seamstress.....	600 00

\$51,010 00

Mendocino Asylum—

Physicians.....	\$4,992 00
Secretary.....	1,800 00
Steward.....	1,800 00
Clerk.....	900 00
Druggist.....	252 00
Engineer.....	1,080 00
Supervisor.....	900 00
Matron.....	720 00
Seamstress.....	540 00
Laundress and laundryman.....	1,200 00
Housekeeper and assistant.....	540 00
Carpenters.....	936 00
Gardener.....	540 00
Cooks and baker (4).....	2,640 00
Teamster.....	480 00
Basement man.....	480 00
Fireman.....	480 00
Waiter.....	420 00
Hostler.....	300 00
Usher.....	300 00
Laborer.....	204 00
Attendants (18).....	8,340 00
Watchmen (3).....	1,560 00

31,404 00

Southern California Asylum for Insane and Inebriates—

Physicians (2).....	\$6,000 00
Secretary.....	1,800 00
Steward.....	1,800 00
Engineers (2).....	1,980 00
Cooks and baker (3).....	2,160 00
Carpenter.....	900 00
Laundryman and laundress (2).....	1,320 00
Farmer.....	600 00
Watchmen (3).....	1,620 00
Waiters and waitress (3).....	1,320 00
Supervisor.....	900 00
Attendants, male and female (21).....	9,360 00
Matron.....	720 00
Seamstress.....	600 00
Gardener.....	480 00
Dairyman.....	480 00
Hostler.....	420 00
Teamsters (2).....	840 00
Druggist.....	420 00
Trustees' Secretary.....	1,200 00

34,920 00

San Quentin State Prison—

Warden.....	\$3,000 00
Clerk.....	1,800 00
Yard Captain.....	2,040 00
Guard Captain.....	1,800 00
Physician.....	2,100 00
Druggist.....	900 00
Commissary.....	1,980 00
Chaplains (2).....	1,800 00
Gatekeepers.....	1,320 00
Turnkey.....	1,500 00
Storekeeper.....	1,380 00
Shipping and Recording Clerks.....	960 00
Sergeants (2).....	2,160 00
Stewards (2).....	2,520 00
Mail carrier.....	1,020 00
Matron.....	780 00

Stenographer and telegrapher.....	\$900 00	
Laundryman.....	960 00	
Foreman.....	900 00	
Guards (50).....	30,000 00	
		\$59,820 00
<i>Jute Mill—</i>		
Superintendent.....	\$1,800 00	
Engineer.....	1,440 00	
Machinist.....	1,380 00	
Millman.....	1,440 00	
Spinners.....	2,460 00	
Weavers.....	2,460 00	
Fireman.....	720 00	
Lieutenant.....	780 00	
Accountant.....	1,380 00	
Policemen (12).....	6,600 00	
		20,460 00
<i>Folsom State Prison—</i>		
Warden.....	\$3,000 00	
General Overseer.....	1,500 00	
Clerk.....	1,800 00	
Commissary.....	1,500 00	
Physicians.....	1,500 00	
Druggist.....	720 00	
Captain and Lieutenant Guards.....	3,000 00	
Night Watches (2).....	2,160 00	
Turnkey and assistant.....	2,340 00	
Gatekeeper.....	1,200 00	
Ambulance driver.....	780 00	
Blacksmith.....	900 00	
Electrician.....	1,200 00	
Guards (44).....	26,400 00	
		48,000 00
<i>Whittier State School—</i>		
Superintendent.....	\$3,600 00	
Treasurer.....	600 00	
Assistant Superintendent and Commissary.....	1,200 00	
Physician.....	900 00	
Clerks (3).....	3,300 00	
Stenographer.....	120 00	
Deputies (2).....	540 00	
Principal Boys' School.....	1,440 00	
Teachers (8).....	6,480 00	
Captains (10).....	8,040 00	
Engineers and electrician.....	1,320 00	
Tailors and tailoress (3).....	2,580 00	
Blacksmith.....	1,200 00	
Farmer.....	900 00	
Gardener.....	900 00	
Printer.....	900 00	
Laundryman.....	900 00	
Painter.....	900 00	
Shoemaker.....	720 00	
Cooks and bakers.....	2,640 00	
Watchmen (10).....	6,480 00	
Waiters.....	300 00	
Laborers (4).....	2,280 00	
Nurses.....	1,080 00	
Housekeeper.....	1,680 00	
Chaplains.....	480 00	
Principal Girls' Department.....	1,200 00	
Matron.....	600 00	
Dressmaker and milliner.....	780 00	
		54,060 00
<i>Preston School of Industry—</i>		
Superintendent.....	\$2,100 00	
Secretary.....	960 00	
Engineers (2).....	1,440 00	
Teachers (2).....	1,524 00	
Commissary.....	900 00	
Gardener.....	900 00	
Carpenters (2).....	1,800 00	
Tailor.....	720 00	
Cook and baker.....	1,200 00	
Farmers.....	1,140 00	
Family officer.....	600 00	
Watchman.....	480 00	

Teamster.....	\$360 00	
General help (2).....	960 00	
Nurse.....	480 00	
Matrons (5).....	1,380 00	
Laborers.....	3,144 00	
Laundryman.....	624 00	
Stockman.....	624 00	
		\$21,336 00
<i>Deaf, Dumb, and Blind Asylum—</i>		
Principal.....	\$3,000 00	
Assistant Principal.....	1,350 00	
Teachers (17).....	13,909 00	
Boys' Supervisor.....	480 00	
Treasurer.....	1,000 00	
Physician.....	1,200 00	
Clerk.....	1,500 00	
Matrons (6).....	2,400 00	
Engineers (2).....	1,680 00	
Laundryman.....	1,080 00	
Stableman.....	360 00	
Dairyman.....	360 00	
Cooks and baker.....	1,880 00	
Watchman.....	360 00	
Gardeners.....	840 00	
Laborers (3).....	1,170 00	
Waitresses and waiters.....	900 00	
Cleaners (5).....	1,500 00	
Janitor.....	360 00	
		35,309 00
<i>Home for Adult Blind, Oakland—</i>		
Superintendent.....	\$2,100 00	
Physician.....	1,200 00	
Secretary.....	499 00	
Clerk.....	720 00	
Teachers.....	720 00	
Watchman.....	600 00	
Janitors (2).....	720 00	
Cooks.....	780 00	
Matron.....	300 00	
Waitresses.....	960 00	
Corn sorters.....	408 00	
		9,007 00
<i>Glen Ellen Home for Feeble-Minded—</i>		
Superintendent and Secretary.....	\$2,400 00	
Matron.....	720 00	
Clerks.....	1,350 00	
Stenographer.....	360 00	
Orderlies (15).....	2,262 00	
Band master.....	480 00	
Housekeeper.....	411 00	
Companions (6).....	2,032 00	
Night Patrols (3).....	1,041 00	
Cooks and baker (5).....	1,800 00	
Waiter.....	360 00	
Laborers (11).....	4,461 00	
Seamstresses.....	540 00	
Engineer.....	624 00	
Laundryman.....	447 00	
Shoemaker.....	420 00	
Carpenter.....	540 00	
Fireman, etc.....	415 00	
Watchman and janitor.....	360 00	
Dairyman.....	340 00	
Manager of farm.....	900 00	
Homekeeper and assistant.....	840 00	
		23,103 00
<i>San José State Normal School—</i>		
Principal and assistant.....	\$6,300 00	
Preceptress.....	1,800 00	
Teachers (17).....	25,299 00	
Librarian and assistant.....	1,980 00	
Curator.....	480 00	
Principal Training Department.....	1,500 00	
Teachers, Training Department (5).....	4,800 00	
Janitor.....	1,800 00	
Engineer.....	1,100 00	
		45,059 00

Los Angeles State Normal School—

Principal.....	\$3,420 00
Teachers (22).....	21,020 00
Preceptress.....	1,599 00
Janitors (3).....	1,680 00
Engineer.....	1,020 00
Librarian.....	180 00

\$628,920 00

Chico Normal School—

Teachers (12).....	\$19,830 00
Janitor.....	900 00
Librarian.....	60 00

20,790 00

**SALARY ROLL OF THE UNIVERSITY OF CALIFORNIA FOR THE
YEAR ENDING JUNE 30, 1894.**

Administration—

Martin Kellogg, President.....	\$8,000 00
J. H. C. Bonté, Secretary and Land Agent.....	3,300 00
W. A. McKowen, Assistant Secretary and Bookkeeper.....	1,500 00
John B. Mhoon, Counsel for Board of Regents.....	1,800 00
W. H. Phipps, Clerk.....	1,350 00
Rebecca Meyerstein, Stenographer and Typewriter.....	672 00
Ida H. Ballard, Stenographer and Typewriter.....	360 00
John J. Herr, Auditor.....	300 00
James Sutton, Recorder.....	1,400 00
J. D. Burke, Recorder's Clerk.....	600 00
Wm. D. Arnes, Secretary University Extension Committee.....	250 00
John Hart, Janitor Mining and Civil Engineering Building.....	720 00
John Maisen, Janitor North Hall.....	720 00
James Tait, Janitor North Hall.....	720 00
William Ellis, Janitor South Hall.....	720 00
T. R. Elliott, Janitor Gymnasium.....	720 00
R. Dugan, Janitor Chemical Laboratory Building.....	720 00
A. M. Niver, Janitor Mechanical and Electrical Building.....	720 00
R. H. Sherman, Janitor Library Building.....	480 00
R. Thompson, Janitor Agricultural Experiment Station Building.....	360 00
Henry Hay, Assistant Janitor South Hall.....	180 00
M. Anthony, Armorer.....	360 00
D. W. Gilbert, Policeman.....	720 00
James Carpenter, Night Watchman.....	720 00
W. E. Hadley, Carpenter.....	900 00
E. Ehret, Plumber.....	840 00

29,132 00

Department of Philosophy—

Professor Howison.....	\$4,000 00
Instructor Stratton.....	600 00
Fellow Henderson.....	900 00
Fellow Henshaw.....	900 00

6,400 00

Department of Agriculture—

Professor Hilgard.....	\$4,000 00
Associate Professor Wickson.....	2,400 00
Assistant Professor Loughbridge.....	2,000 00
Assistant Professor Woodworth.....	1,800 00
Instructor Jaffa.....	1,750 00
Instructor Colby.....	1,450 00
Assistant Hayne.....	600 00
Gardener Kellner.....	840 00
Inspector Shinn.....	1,800 00
Foreman Tyson.....	900 00
Foreman Hansen.....	960 00
Foreman Forrer.....	900 00
Foreman Mills.....	840 00
Foreman Strachan.....	600 00
Foreman Boland.....	720 00
Clerk Stubenrauch.....	500 00
Cellarman Bioletti.....	700 00

22,760 00

Department of Pedagogy—

Professor Brown.....	\$3,600 00
Instructor Kendall.....	1,400 00
Fellow Wertz (Miss).....	600 00

5,000 00

<i>Department of Greek—</i>			
Professor Clapp	\$3,000	00	
Associate Professor Flagg	2,400	00	
Reader	75	00	
			\$5,475 00
<i>Department of Latin—</i>			
Professor	\$3,000	00	
Assistant Professor Richardson	2,100	00	
Instructor Richardson	1,400	00	
			6,500 00
<i>Department of English—</i>			
Professor Gayley	\$3,000	00	
Professor Bradley	2,700	00	
Assistant Professor Lange	1,800	00	
Instructor Armes	1,500	00	
Instructor Syle	1,500	00	
Instructor Sanford	1,500	00	
			12,000 00
<i>Department of German—</i>			
Professor Putzker	\$3,000	00	
Assistant Professor Senger	1,800	00	
Reader Ongerth	300	00	
			5,100 00
<i>Department of French—</i>			
Professor Paget	\$2,700	00	
Instructor Huntington	1,200	00	
Fellow Howard	1,200	00	
			5,100 00
<i>Department of Mathematics—</i>			
Professor Stringham	\$3,000	00	
Associate Professor Edwards	2,400	00	
Assistant Professor Haskell	2,100	00	
Assistant Professor Leuschner	1,800	00	
Instructor Pierce	1,200	00	
Instructor Hengstler	1,200	00	
			11,700 00
<i>Department of Political Economy—</i>			
Professor Moses	\$3,600	00	
Professor Jones	2,700	00	
Associate Professor Bacon	2,400	00	
Assistant Professor Plehn	2,100	00	
Instructor Haynes	1,500	00	
Fellow Leach	600	00	
			12,900 00
<i>Department of Physics—</i>			
Professor Slate	\$3,000	00	
Associate Professor Whiting	2,400	00	
Instructor Raymond	1,500	00	
Instructor Drew	1,200	00	
Assistant Van Gorder	300	00	
Mechanician Chesebrough	1,200	00	
Assistants in Physics	900	00	
			10,500 00
<i>Department of Botany—</i>			
Professor Greene	\$3,000	00	
Instructor Howe	1,200	00	
Assistant Jepson	800	00	
Assistant Tidestrom	600	00	
			5,700 00
<i>Department of Chemistry—</i>			
Professor Rising	\$3,000	00	
Assistant Professor O'Neill	2,100	00	
Instructor Sharwood	1,200	00	
Assistant Gilman	720	00	
Assistant Norris	720	00	
Assistant Blasdale	780	00	
Assistant Lenher	600	00	
			9,120 00
<i>Department of Civil Engineering—</i>			
Professor Soule	\$3,000	00	
Associate Professor Ardley	2,000	00	
Assistant Professor Kower	1,800	00	
Instructor Randall	1,500	00	
Fellow Hunt	840	00	
			9,140 00

<i>Department of Library—</i>			
Librarian Rowell.....	\$2,400	00	
First Assistant Layman.....	1,200	00	
Second Assistant Jones.....	780	00	
			\$4,380 00
<i>Department of Natural History—</i>			
Professor LeConte.....	\$4,000	00	
Associate Professor Lawson.....	2,400	00	
Associate Professor Ritter.....	1,500	00	
Fellow Ransome.....	500	00	
Assistant Holmes (Biology).....	450	00	
			8,850 00
<i>Department of Physical Culture—</i>			
Director Payne.....	\$900	00	
Instructor Magee.....	1,700	00	
Dr. Sarah I. Shuey.....	300	00	
Assistant G. Gibbs.....	360	00	
			3,260 00
<i>Department of Mechanics—</i>			
Professor Hesse.....	\$3,600	00	
Superintendent Sladky.....	2,000	00	
Assistant Professor Cory.....	2,000	00	
Assistant LeConte.....	900	00	
Assistant Moss.....	240	00	
Assistant Schobee.....	1,200	00	
Assistant Deckhard.....	900	00	
			10,840 00
<i>Department of Mining—</i>			
Professor Christy.....	\$3,000	00	
Instructor Booth.....	1,500	00	
Assistant Hersam.....	1,250	00	
Assistant Richards.....	840	00	
			6,590 00
<i>Museum—</i>			
Curator Rivers.....	\$1,800	00	
Assistant Harford.....	720	00	
			2,520 00
<i>Lick Observatory—</i>			
Director Holden.....	\$5,000	00	
Astronomer Schaeberle.....	2,400	00	
Astronomer Barnard.....	2,400	00	
Astronomer Campbell.....	2,400	00	
Astronomer Tucker.....	1,800	00	
Assistant Astronomer Colton.....	1,200	00	
Secretary Perrine.....	1,200	00	
Machinist McDonald.....	1,000	00	
Carpenter Bane.....	900	00	
Janitor W. Pauli.....	720	00	
Laborer Jess.....	720	00	
Laborer Rodie.....	720	00	
			20,260 00
<i>Printing Office—</i>			
Superintendent Flynn.....	\$1,200	00	
Apprentice Jones.....	360	00	
			1,560 00
<i>Hearst Scholarships—</i>			
Mrs. Phebe A. Hearst Scholarships.....			2,400 00
Total.....			\$213,562 00
Aggregate.....			\$5,718,645 00

It is proper to deduct from the aggregate of salaries in the foregoing statement one half of the amount noted as school teachers' salaries, for the reason that the State raises by the tax levy only \$2,195,458 a year for the support of the common schools. It is fair, also, to deduct one half of the amount charged to the Legislature, as this expense occurs only once in two years. These reductions leave the following result: Amount annually paid by the State of California for salaries, \$3,636,035.

In the foregoing tabulated statements, porters and laborers are frequently included as clerical assistants.

VOORHEIS, Chairman

SPECIAL ORDERS.

Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

The Senate continued to consider Assembly Bill No. 617 on its second reading.

Senator McGowan moved to amend as follows:

Amend the printed bill by inserting on page eight, after line two hundred and thirty-four, the following:

For aid to District Agricultural Society No. 1.....	\$7,000
For aid to District Agricultural Society No. 2.....	7,000
For aid to District Agricultural Society No. 3.....	4,000
For aid to District Agricultural Society No. 4.....	6,000
For aid to District Agricultural Society No. 5.....	6,000
For aid to District Agricultural Society No. 6.....	6,000
For aid to District Agricultural Society No. 7.....	3,500
For aid to District Agricultural Society No. 8.....	4,000
For aid to District Agricultural Society No. 9.....	4,500
For aid to District Agricultural Society No. 10.....	4,500
For aid to District Agricultural Society No. 11.....	4,500
For aid to District Agricultural Society No. 12.....	5,000
For aid to District Agricultural Society No. 13.....	6,000
For aid to District Agricultural Society No. 14.....	3,000
For aid to District Agricultural Society No. 15.....	3,000
For aid to District Agricultural Society No. 16.....	4,500
For aid to District Agricultural Society No. 17.....	4,500
For aid to District Agricultural Society No. 18.....	6,000
For aid to District Agricultural Society No. 19.....	4,000
For aid to District Agricultural Society No. 20.....	4,500
For aid to District Agricultural Society No. 21.....	6,000
For aid to District Agricultural Society No. 22.....	4,000
For aid to District Agricultural Society No. 23.....	3,500
For aid to District Agricultural Society No. 24.....	3,000
For aid to District Agricultural Society No. 25.....	5,000
For aid to District Agricultural Society No. 26.....	6,000
For aid to District Agricultural Society No. 27.....	4,500
For aid to District Agricultural Society No. 28.....	4,500
For aid to District Agricultural Society No. 29.....	4,000
For aid to District Agricultural Society No. 30.....	4,000
For aid to District Agricultural Society No. 31.....	4,000
For aid to District Agricultural Society No. 32.....	3,500
For aid to District Agricultural Society No. 33.....	3,500
For aid to District Agricultural Society No. 34.....	4,500
For aid to District Agricultural Society No. 35.....	4,000
For aid to District Agricultural Society No. 36.....	4,000
For aid to District Agricultural Society No. 37.....	3,000
For aid to District Agricultural Society No. 38.....	4,000
For aid to District Agricultural Society No. 39.....	3,000
For aid to District Agricultural Society No. 40.....	5,000
For aid to District Agricultural Society No. 41.....	3,000
For aid to District Agricultural Society No. 42.....	3,000
For aid to District Agricultural Society No. 43.....	3,000

Provided, that no moneys appropriated for agricultural societies shall be drawn, used, or paid for racing or speed contests.

On the adoption of the amendment, the ayes and noes were demanded by Senators Burke, Whitehurst, and Pedlar.

The roll was called, and the motion to amend carried by the following vote:

AYES—Senators Aram, Bert, Biggy, Burke, Denison, Dunn, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Orr, Seawell, Seymour, Shine, Shippee, and Voorheis—27.

NOES—Senators Beard, Fay, Pedlar, Simpson, Whitehurst, and Withington—6.

Senator Burke moved that the Senate reconsider the vote whereby the amendment just submitted was adopted.

The roll was called, and the Senate refused to reconsider by the following vote:

AYES—Senators Arms, Beard, Burke, Fay, Simpson, Whitehurst, and Withington—7.

NOES—Senators Aram, Androus, Bert, Biggy, Denison, Dunn, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, and Voorheis—26.

By Senator Bert:

Amend by striking out of section one, line one hundred and forty-one, the words "two hundred," and inserting the following: "two hundred and twenty-five."

AYES AND NOES.

The ayes and noes were demanded by Senators Bert, Pedlar, and Gleaves.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Gesford, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, Orr, Pedlar, Seawell, Seymour, and Shine—23.

NOES—Senators Arms, Franck, Holloway, Langford, McAllister, Simpson, Voorheis, Whitehurst, and Withington—9.

AMENDMENTS.

By Senator Ford:

Amend by striking out of section one, line two hundred and four, the words "two hundred," and inserting the following: "two hundred and forty-five."

Adopted.

By Senator Voorheis:

Amend by striking out of section one, line one hundred and sixty-seven, the words "one thousand dollars," and inserting the following: "two thousand and forty dollars."

Adopted.

Also:

Amend by inserting between lines fifty-two and fifty-three the following: "For salary of expert to Board of Examiners, four thousand dollars; for traveling expenses of Board of Examiners and expert, two thousand dollars."

AYES AND NOES.

The ayes and noes were demanded by Senators Langford, Orr, and Whitehurst.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Fay, Ford, Henderson, Holloway, Hoyt, Shippee, Toner, and Voorheis—15.

NOES—Senators Earl, Franck, Gesford, Langford, Mathews, Orr, Seymour, Shine, Simpson, and Whitehurst—10.

By committee:

Amend section four by striking out everything after the sectional number and inserting the following: "not more than one twenty-fourth part of the amount appropriated under this Act for each department or institution for the two years ending June 30, 1897, shall be expended during any one month unless by consent of the State Board of Examiners."

Adopted.

Bill ordered printed forthwith as amended, and on file for third reading.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed on file.

Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Fay, Flint, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read third time, and finally passed by the following vote:

Senator Orr in the chair.

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Shine, Shippee, Simpson, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

AMENDMENTS.

Amend line seven, section one, of printed bill, by striking out word "ten," and inserting word "twenty."

Adopted.

Also: Amend line eight, of section one, by striking out word "one," and inserting word "two," and changing word "dollar" to "dollars."

Adopted.

Also: Amend line eleven, in same section, by striking out word "one," and inserting word "three," and changing "dollar" to "dollars."

Adopted.

Also: Amend line nineteen, of same section, by striking out word "one," and inserting word "three," and changing word "dollar" to "dollars." In lines twenty-three and twenty-five of same section make similar change.

Adopted.

Also: Amend line twenty-eight, of section one of the printed bill, by striking out word "ten," and inserting word "twenty-five."

Adopted.

Read second time, ordered to print as amended, and on file for third reading.

Assembly Constitutional Amendment No. 19—Proposed amendment to article three, section seven, of the Constitution, relative to corporations.

Assembly Constitutional Amendment No. 19 read, and, on motion of Senator Burke, further consideration was continued.

SECOND READING OF BILLS.

Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read second time, and ordered on file for third reading.

Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

During the second reading of the bill, the following amendments, suggested by committee, were read:

Amend section one, line three, printed bill, by adding after the word "upon" the words "the following personal property and none other."

Adopted.

Also: Add a new line, to be numbered twenty-four, to section one, to read as follows: "Eighteenth—Abstract systems, books, maps, papers, and slips of searchers of records."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

During the second reading the following committee amendments were submitted:

Amend section one, line seven, printed bill—after the word "appear" insert the words "to the satisfaction of the Court, or a Judge thereof, from which the appeal was taken."

Adopted.

In line nine, strike out the words "having jurisdiction of the appeal," and insert between the words "the" and "Court" the words "last named."

Adopted.

Strike out in line eleven the words "a Justice of the Supreme Court, or a Judge of the Superior," and insert in lieu thereof the words "the last named Court, or a Judge thereof."

Adopted.

Also: Strike out all of lines twelve and thirteen of section one, and insert the words "and in case said sureties fail to justify before said last named Court or a Judge thereof, or fail to comply with the order to appear and justify, execution may issue upon the judgment as if no undertaking to stay execution had been given."

Adopted.

Also: Strike out all of section two.

Adopted.

Bill read second time, ordered to print as amended, and on file for third reading.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Read second time, and on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read first time.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Read first time.

Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Read first time.

Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Read first time.

Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read first time.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read first time.

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River, and other inland waters of the State.

Passed on file.

ASSEMBLY JOINT RESOLUTION No. 14.

Substitute Joint Resolution, relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County.

WHEREAS, The great and rapid growth of Southern California demands better deep-sea harbor facilities to accommodate and encourage the increasing commerce of that section; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be urgently requested and our Senators instructed to make every effort and use all honorable endeavors to immediately secure an adequate and liberal appropriation from the present Congress for the purpose of constructing a deep-sea harbor in the county of Los Angeles, as selected or hereafter to be selected by the Government.

Resolved, That the Governor be requested to transmit a copy of this resolution immediately to each of our Senators and Representatives in Congress.

Senator Mathews moved to amend as follows:

By inserting in line four, printed bill, the words "at San Pedro," after the word "harbor."

Adopted.

Assembly Joint Resolution No. 14 ordered to print.

Senator McAllister moved that Senate Bill No. 627, which was declared a case of urgency on a previous day, be taken up for the purpose of amendment.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

Senator McAllister moved that Senator Burke be appointed a special committee of one, to amend as follows:

Amend by inserting in section one, line five, between the words "shop and or," the words "barber shop of a bathing establishment."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 627, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of committee of one and amendment adopted.

Senator McAllister moved that Senator Biggy be appointed a special committee of one to amend as follows:

Amend by inserting in section one, line five, between the words "establishment" and "or," the words "or any place for shaving or hair-dressing used or conducted in connection with any other place of business or resort."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 627, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIGGY, Committee.

Report of committee of one and amendment adopted.

Bill read third time, ordered printed as amended, and on file for passage.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following bills have been correctly engrossed:

Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School, at San José California.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and sloyd tools for the use of the State Normal School at Los Angeles, California.

Also: Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

SMITH, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Also: Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Also: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Also: Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title.

Have had the same under consideration, and respectfully report the same as having been correctly enrolled and sent to the Governor.

SMITH, Chairman.

MOTIONS.

Senator Burke moved that the rules be suspended and the special order set for this hour be temporarily set aside.

So ordered.

Senator Burke moved that the constitutional provision providing when bills may be introduced be suspended, and that he be permitted to introduce a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Ford, Gleaves, Hart, Henderson, Holloway, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Whitehurst, and Withington—28.

NOES—None.

INTRODUCTION OF BILL.

By Senator Burke: Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco.

Referred to Committee on Judiciary.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties; for locating the county seats; for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

The question being on the adoption of the amendment submitted before the recess hour on this day, viz.:

By striking out of section one, line two, the words "or more counties," and inserting in lieu thereof the word "county."

Also: Strike out of lines nine and ten thereof the words "or counties."

Senator Burke moved that the further consideration of the bill be made a special order for to-morrow, immediately after the reading of the Journal, to take precedence over all other special orders set for that time, and that the bill be referred to Committee on Judiciary, to be reported back at that hour.

So ordered.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

RECESS.

At four o'clock P. M. a recess was declared for five minutes, on motion of Senator Bert.

REASSEMBLED.

At four o'clock and five minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTION.

By Senator Ford:

Resolved, That Senate Bills Nos. 24, 692, 448, 506, 16, 72, 876, 715, 526, 799, 871, 275, Committee Substitute No. 284, Senate Bills Nos. 498, 722, 709, 70, 655, 782, 653, 147, 521, 367, 716, 558, 752, 634, 391, 95, 116, 434, 596, 446, 592, 805, 248, 153, 506, 388, 612, 633, and 208 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that each bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills shall be read the first, second, and third times, and placed on their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Senator Simpson moved that the roll be called commencing with the last name, and reversing the regular order of roll call, and as each Senator's name is called he be permitted to designate a bill (or two if he did not have a bill on the previous Special Urgency File) which shall be placed on the Special Urgency File in regular order as named.

The ayes and noes were demanded by Senators Pedlar, Bert, and Arms.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Burke, Fay, Flint, Gesford, Hart, Holloway, Hoyt, Langford, Mahoney, Mathews, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—22.

NOES—Senators Arms, Androus, Beard, Bert, Denison, Earl, Franck, Gleaves, Linder, Martin, and McGowan—11.

The following is the result of the roll call:

By Senator Withington: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

By Senator Whitehurst: Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

By Senator Beard: Senate Bill No. 612—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General as the general locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

By Senator Henderson: Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company, for wharfage illegally collected.

By Senator Ford: Senate Bill No. 506—An Act to amend chapter nine, part two, title four, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponement of trials of criminal actions.

By Senator Simpson: Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

By Senator Shippee: Senate Bill No. 248—An Act to appropriate money for the payment of Charles A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

By Senator Shine: Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

By Senator Seymour: Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State,

received by the various State institutions, and directing the disposition of same.

By Senator Seawell: Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Also: Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Clerks, Sheriffs, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

By Senator Pedlar: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

By Senator Orr: Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations, and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

By Senator McGowan: Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

By Senator McAllister: Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

By Senator Mathews: Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class.

By Senator Martin: Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

By Senator Mahoney: Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an Examining Engineer, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said engineer.

Also: Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

By Senator Linder: Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

By Senator Langford: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code,"

approved February 14, 1872. to prevent able-bodied persons from banding together and obtaining subsistence by alms.

By Senator Hoyt: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

By Senator Holloway: Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

By Senator Henderson: Senate Bill No. 655—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

By Senator Hart: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

By Senator Gleaves: Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the water front of the City and County of San Francisco." approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889.

By Senator Gesford: Senate Bill No. 722—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, relating to property taxes.

By Senator Franck: Senate Bill No. 498—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to sales by commissioner under decree of foreclosure of mortgage.

By Senator Ford: Proposed Committee Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary, and to appropriate money therefor.

By Senator Flint: Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

By Senator Fay: Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings, for municipal purposes.

By Senator Earl: Senate Bill No. 799—An Act to prevent and forbid the owners of street railroads to require deposits from employés.

By Senator Dunn: Senate Bill No. 526—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

By Senator Denison: Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities, by the annexation of uninhabited territory thereto, and for the incorporation

of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

By Senator Burke: Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco.

By Senator Biggy: Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

By Senator Bert: Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

By Senator Beard: Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State, upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground, or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and precedence in equity against such nuisance.

By Senator Androus: Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young, for architect's fees for erection and construction of power and electric plant at the Whittier School.

By Senator Arms: Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

By Senator Aram: Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

SPECIAL URGENCY FILE.

Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Passed on file.

Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Read first time.

During the second reading, the following committee amendments were read:

In section one, line two of printed bill, after the word "stream," insert "or water course."

Adopted.

Also: In section one, line four of printed bill, strike out the words "either upon motion, or."

Adopted.

Also: In section one, line five of printed bill, strike out the words "at least."

Adopted.

Also: In section one, line six, after the word "stream," insert "or watercourse."

Adopted.

Also: In section five, line one of printed bill, strike out "5" and insert "4."

Adopted.

Also: In section five of printed bill, line two, strike out the words "the Board may with."

Adopted.

Also: Strike out line three, and the words "be final and conclusive" in line four.

Adopted.

Also: In section five, line twelve of printed bill, after the word "county," insert "but no district shall be formed wherein a majority of the property holders within its limits protest in writing against such action."

Adopted.

Also: In section six, line one of printed bill, strike out "6" and insert "5."

Adopted.

Also: In section seven, line one of printed bill, strike out "7" and insert "6."

Adopted.

Also: In section seven, line one, strike out the word "five" and insert "four."

Adopted.

Also: In section eight, line one, strike out "8" and insert "7."

Adopted.

Also: In section nine, line one in printed bill, strike out "9" and insert "8."

Adopted.

Also: In section nine, line one of printed bill, strike out the words "power to employ such assistance as they may"; also strike out lines two, three, four, five, and six, and insert "all powers necessary and proper to carry out the provisions of this Act, and the act of a majority shall be the act of the Board."

Adopted.

Also: In section ten, line one of printed bill, strike out "10" and insert "9."

Adopted.

Also: In section eleven, line one of printed bill, strike out "11" and insert "10."

Adopted.

Also: In section eleven of printed bill, strike out line ten and the words "and the remaining — of," and insert: "the Board of Supervisors may assess to the county, as an interested and benefited party, such portion of said assessment, not exceeding one third, as in their judgment they may determine, and the remainder of."

Adopted.

Also: In section twelve, line one of printed bill, strike out "12" and insert "11."

Adopted.

Also: In section thirteen, line one of printed bill, strike out "13" and insert "12."

Adopted.

Also: In section fourteen, line one of printed bill, strike out "14" and insert "13."

Adopted.

Also: In section fifteen, line one of printed bill, strike out "15" and insert "14."

Adopted.

Also: In section fifteen, line three of printed bill, strike out "two" and insert "one."

Adopted.

Also: In section sixteen, line one of printed bill, strike out "16" and insert "15."

Adopted.

Also: In section seventeen, line one, strike out "17" and insert "16."

Adopted.

Also: In section eighteen, line one of printed bill, strike out "18" and insert "17."

Adopted.

Also: In section nineteen, line one of printed bill, strike out "19" and insert "18."

Adopted.

Also: In section twenty, line one of printed bill, strike out "20" and insert "19."

Adopted.

Also: In section twenty-one, line one of printed bill, strike out "21" and insert "20."

Adopted.

Also: In section twenty-two of printed bill strike out all of section twenty-two.

Adopted.

Also: In section twenty-three, line one of printed bill, strike out "23" and insert "21."

Adopted.

Also: In section twenty-four, line one of printed bill, strike out "24" and insert "22."

Adopted.

Also: In section twenty-five, line one of printed bill, strike out "25" and insert "23."

Adopted.

Also: In section twenty-six, line one of printed bill, strike out "26" and insert "24."

Adopted.

Also: In section twenty-seven, line one of printed bill, strike out "27" and insert "25."

Adopted.

Also: In section twenty-eight, line one of printed bill, strike out "28" and insert "26."

Adopted.

Also: In section twenty-nine, line one of printed bill, strike out "29" and insert "27."

Adopted.

Also: In section thirty, line one of printed bill, strike out "30" and insert "28."

Adopted.

Also: In section thirty-one, line one of printed bill, strike out "31" and insert 29."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTIONS.

Senator Ford moved that the consideration of the special urgency file, this day made up, be the special order for each day, from seven o'clock and thirty minutes P. M. to ten o'clock P. M., commencing Monday, March 4th, and continuing until said special urgency file be disposed of.

So ordered, by unanimous consent.

On motion of Senator Ford, the proposed Committee Substitute for Senate Bill No. 284 was ordered printed forthwith.

On motion of Senator Biggy, Senate Bill No. 4—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor—was made a special order for to-morrow, immediately after the reading of the Journal, to follow special orders already set for that hour.

Senator Shippee moved that Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties—be re-referred to Committee on Finance, but to retain its place on file.

So ordered.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Senator Earl: Senate Concurrent Resolution No. 8—Approving the charter of the town of Berkeley, Alameda County, California, voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose on the twenty-sixth day of February, 1895.

On motion of Senator Earl, the same was ordered printed forthwith.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 25—Proposing to amend section six of article eleven of the Constitution, relative to municipal corporations—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Constitutional Amendment No. 4—Proposing an amendment to section nine of article thirteen of the Constitution, relative to the election of a State Board of Equalization—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

HART, Chairman.

ON ATTACHES, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Withington:

Resolved, That Hiram Clock and E. Cowan be appointed additional Porters to the Sergeant-at-Arms, at a compensation of four dollars per day for sixty days, the said compensation to be paid out of the contingent expenses of the Senate, the amount of the same to be deducted proportionately from the pay of each Senator and each officer and attaché of the Senate for the week ending March 2, 1895.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

HART, Chairman.

The question being, "Shall the Senate adopt the report?"

The report was adopted.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of thirteen dollars and forty cents in favor of F. J. Brandon, Secretary of the Senate, for stamps and typewriting paid for and done for the Senate, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

Resolved by the Senate, That Hiram Clock, having performed, and still continues to perform the duties of Porter, commencing from January 14, 1895, the sum of four dollars per day, commencing from said January fourteenth, is hereby allowed him, payable out of the Contingent fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

The roll was called on the adoption of the first resolution, and it was adopted by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Hart, Henderson, Holloway, Hoyt, Langford, Martin, McAllister, McGowan, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—27.

NOES—None.

The roll was then called on the adoption of the last resolution, and it was adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—32.

NOES—Senator Biggy—1.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 23, 1895.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was re-referred Senate Bill No. 285—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor—have had the same under consideration, and respectfully report a substitute therefor, and recommend that the substitute do pass, the bill be read first time, and referred to the Committee on Finance.

FLINT, Chairman.

FIRST READING OF BILL.

In compliance with the request of the committee, Senate Bill No. 285—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor—was read first time and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 14—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 672—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 489—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street, from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 27—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Also: Senate Bill No. 723—An Act providing for the relief of the County Treasurer of Sonoma County, and his sureties on his official bond, on account of money of which he was forcibly robbed.

Also: Senate Bill No. 674—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 170—An Act to provide for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 126—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, relating to percentage to be collected by officers, to be known as section four thousand three hundred and thirty-four—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WITHINGTON, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 771—An Act to provide for the protection of public highways from damage from overflow from natural non-navigable watercourses—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 518—An Act providing for the sale of salt marsh and tide lands capable of reclamation for agricultural purposes.

Also: Senate Bill No. 742—An Act to provide for the fixing of boundaries of lands.

Also: Senate Bill No. 751—Bill to confirm sales made by the State of swamp and overflowed, salt marsh, or tide lands, when the same have been reclaimed or improved without interfering with commerce or navigation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOYT, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on County Government and Township Organization.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 790—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Also: Senate Bill No. 586—An Act to amend section one hundred and ten of the Code of Civil Procedure, relating to terms of office of Justices.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 621—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 758—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Also: Senate Bill No. 689—An Act requiring the recording of maps of cities, towns, etc.

Also: Senate Bill No. 591—An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, and prescribing his compensation, and making appropriation," approved March 24, 1893.

Also: Senate Bill No. 746—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco in relation to the public pound, and the appointment of a Poundkeeper and Deputy Poundkeepers therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of the late A. W. McGinnes—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute be adopted.

Also: Senate Bill No. 71—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 595—An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876.

Also: Senate Bill No. 304—An Act making an appropriation to pay the claims of John Barry and William Connor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Finance Committee without recommendation.

Also: Senate Bill No. 468—An Act to appropriate the sum of one thousand and fifty-two dollars for the payment of the claim of Jerome Deasy—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 761—An Act providing for the relief of Patrick Creighton, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Creighton, his assigns or legal representatives, the sum of seventy-five thousand dollars, and directing the Auditor of said city and county to audit the demand of said Creighton for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Also: Senate Bill No. 643—An Act appropriating money to pay the claim of the State Agricultural Society.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Finance Committee without recommendation.

FRANCK, Chairman.

Senate Bills Nos. 539, 71, 595, 304, 468, 761, and 643 re-referred to Committee on Finance.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 759—An Act to provide for the disposal of the Home for the Adult Blind, at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as the Home for Feeble-Minded in Santa Clara County, and for the improvement of the same—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 780—An Act appropriating five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ANDROUS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 741—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered as section three thousand four hundred and forty-three, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 777—An Act providing for the registration by hotel, boarding, lodging, and rooming house keepers of roomers and lodgers, requiring the making of reports thereof, and providing for the punishment of a failure to comply with the provisions thereof.

Also: Senate Bill No. 609—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered section one thousand two hundred and ninety-eight, relating to certificates of election, and providing for the delivery of possession of office to the persons named in such certificates, and for the punishment for the violation thereof.

Also: Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Also: Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

McGOWAN, Chairman.

MOTIONS.

On motion of Senator Seymour, Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of Cali-

fornia, as shorthand reporter, for the years 1890, 1892, and 1893—was ordered placed on the special file.

Senator Seawell moved that Senate Bills No. 124 and 129 be transposed on file, the first—Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years—to take the place of Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—set as a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

ADJOURNMENT.

At five o'clock and fifty-eight minutes P. M., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Friday, March 1, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 27, 1895, was approved.

LEAVE OF ABSENCE.

Senator Arms was granted a leave of absence for the day, on account of sickness, on motion of Senator Bert.

Senator Biggy was granted a leave of absence for the day, on motion of Senator Dunn.

SPECIAL ORDERS—IMMEDIATELY AFTER READING JOURNAL.

In conformity with a notice of reconsideration given by Senator Orr, a reconsideration of the vote whereby Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California—was on a previous day passed, was moved by Senator Ford.

The roll was called, and the Senate refused to reconsider by the following vote:

AYES—Senators Beard, Burke, Gesford, Holloway, Langford, Mathews, McAllister, Orr, Pedlar, Seawell, Simpson, Voorheis, Whitehurst, and Withington—15.

NOES—Senators Aram, Arms, Androus, Bert, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McGowan, Seymour, Shippee, and Toner—21.

Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Hon. E. F. Bert, State Senator from the Twentieth District, in the chair.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the amendment offered by Senator Burke to Senate Bill No. 465, to wit: By striking out of line one, section two thereof, the words "or more counties," and inserting in lieu thereof the word "county." Also strike out of lines nine and ten thereof the words "or counties"—respectfully report that we have had the same under consideration and report as follows:

That we find the proposed amendment of doubtful validity, and that it might, if adopted, endanger the safety of the entire bill; that its incorporation in the bill would, we believe, make the measure unconstitutional, and therefore the committee respectfully requests that the proposed amendment be not adopted.

McGOWAN, Chairman.

Whereupon Senator Burke, by unanimous consent, withdrew the proposed amendment.

Senator Burke moved that Senator Simpson be appointed a special committee of one to amend as follows:

Amend section two by inserting after the word "petition," in line ninety-eight thereof, the following: "provided, it shall be the duty of such commission to determine whether or not it will be to the advantage of the proposed new county, and of the old county, or counties, out of which it is proposed to create such new county, that the same should be created; and if the creation of such new county, in the opinion of such com-

mission, will not be of general public utility, all the interests of the proposed new county and the said old county or counties out of which the same is proposed to be created, being duly and fairly considered, then such commission shall proceed no further in the formation of such new county."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 465, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

The roll was called, and the report of the special committee of one and amendment adopted by the following vote:

AYES—Senators Aram, Androus, Burke, Dunn, Fay, Flint, Franck, Henderson, Langford, Mathews, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Toner, Voorheis, and Whitehurst—19.

NOES—Senators Arms, Beard, Bert, Denison, Earl, Ford, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Seymour, Shine, and Withington—17.

PAIRED.

Senator Holloway was paired with Senator Smith.

Senator Smith would have voted "no."

Senator Holloway would have voted "aye."

The bill, on motion of Senator Ford, was delayed temporarily in its transmission to the printer.

PASSAGE OF BILL.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

The bill having been read a third time on a previous day.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Senators Aram, Arms, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Toner, Voorheis, and Whitehurst—28.

NOES—None.

Title read and approved.

THIRD READING OF BILLS.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

On motion of Senator Voorheis, Senate Bills Nos. 194 and 193 were reset as special orders for Tuesday next, immediately after reading the Journal.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

On motion of Senator McAllister, Senate Bill No. 753 was re-referred to Committee on Judiciary.

Assembly Joint Resolution No. 8—Relative to the annexation of the Republic of Hawaii.

The roll was called, and Assembly Joint Resolution No. 8 refused adoption by the following vote:

AYES—Senators Beard, Franck, Henderson, Orr, Pedlar, Shine, Simpson, Voorheis, and Withington—9.

NOES—Senators Arms, Androus, Bert, Burke, Denison, Dunn, Fay, Flint, Gesford, Gleaves, Hart, Holloway, Mahoney, Martin, Mathews, McAllister, McGowan, Seawell, Seymour, Shippee, Toner, and Whitehurst—22.

RECONSIDERATION.

Senator Pedlar moved a reconsideration of the vote whereby the amendment of Senator Burke to Senate Bill No. 465 was this day adopted.

Pending action on the motion, Senator Ford moved that its further consideration be set as a special order for Tuesday morning, immediately after the reading of the Journal, to follow the first special order, viz.: Senate Bill No. 199, already set for that hour.

So ordered.

Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seymour, Shine, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

On motion of Senator Gleaves, Senate Concurrent Resolution No. 7 was ordered immediately transmitted to the Assembly.

SECOND READING OF BILL.

Senate Bill No. 4—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read second time.

The following Committee Substitute for Senate Bill No. 4 and Senate Bill No. 190 was read:

COMMITTEE SUBSTITUTE FOR SENATE BILLS Nos. 4 AND 190.

An Act to provide for the advertising of the constitutional amendments, and to make an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of forty-eight thousand six hundred and sixty-two dollars is hereby appropriated out of any money in the State Treasury not otherwise appro-

printed, to pay the following bills for printing and advertising the constitutional amendments:

San Francisco Call.....	\$3,500 00
San Francisco Chronicle.....	3,500 00
San Francisco Examiner.....	3,500 00
San Francisco Bulletin.....	2,300 00
San Francisco Post.....	2,300 00
San Francisco Report.....	2,300 00
Oakland Tribune.....	2,000 00
Oakland Times.....	2,000 00
Los Angeles Herald.....	1,800 00
San José Mercury.....	1,800 00
Los Angeles Express.....	1,800 00
Sacramento Bee.....	1,700 00
Sacramento Record-Union.....	1,700 00
San Diego Union.....	1,700 00
Fresno Republican.....	1,500 00
Stockton Independent.....	1,500 00
San Francisco Abend Post.....	1,500 00
Marysville Appeal.....	1,000 00
Alameda Argus.....	1,000 00
Sonoma Democrat.....	750 00
Santa Rosa Republican.....	750 00
Nevada Transcript.....	750 00
Oroville Mercury.....	750 00
Grass Valley Union.....	750 00
Red Bluff People's Cause.....	500 00
Santa Cruz Sentinel.....	500 00
Los Angeles Times-Mirror.....	243 00
Oakland Enquirer.....	304 00
Sacramento Sunday News.....	180 00
San Bernardino Times-Index.....	180 00
Santa Barbara Press.....	180 00
San Luis Obispo Tribune.....	180 00
Napa Register.....	180 00
Hollister Free Lance.....	180 00
Kern County Californian.....	180 00
Salinas City Index.....	180 00
Stanislaus Modesto Herald.....	180 00
Sacramento Sunday Leader.....	180 00
Merced Star.....	180 00
Colusa Herald.....	180 00
Eureka Humboldt Times.....	180 00
Auburn Placer Argus.....	125 00
Pomona Times.....	125 00
Los Angeles Progress.....	125 00
Pasadena Star.....	125 00
Madera Mercury.....	125 00
Kern Echo.....	125 00
Kern Standard.....	125 00
Yreka Journal.....	125 00
Oakland Echo.....	125 00
Riverside Reflex.....	125 00
Placer County Republican.....	125 00
Galt Gazette.....	125 00
Folsom Telegraph.....	125 00
Orange County Herald.....	125 00
Stockton Record.....	125 00
Covina Argus.....	125 00
Alameda Encinal.....	125 00
Alameda Telegram.....	125 00
Mariposa Gazette.....	125 00
Sausalito News.....	125 00
Crescent-City News.....	125 00

SEC. 2. The Controller of the State is hereby authorized to draw his warrants for the sums herein payable, and the Treasurer of the State is directed to pay the same.

SEC. 3. This Act shall take effect immediately.

Substitute adopted.

Bill ordered to print and engrossment as amended, and on file for third reading.

COMMUNICATION.

The following was presented by Senator Androus, and the same was ordered printed in the Journal.

THE TIMES-MIRROR COMPANY,
Los Angeles, February 6, 1895.

Hon. S. N. ANDROUS, Senate Chamber, Sacramento, Cal.:

DEAR SIR: Referring to the very brief conversation which we had on the subject of the bills for the advertising of the constitutional amendments, I now write you the points which I aimed to make, in order to present them more clearly to your mind:

I start with the just proposition that newspapers should be paid at their current, established commercial rates for all advertising done for the State under authority of law, or the lawful written order of any State officer competent to direct such advertising to be done. Having laid down this premise, I submit the following propositions under it:

1. It is an obvious fact that no bill should be allowed for a daily publication of the advertisement referred to, unless there can be found distinct and competent statutory or executive authority for such publication. The mere fact that the advertisement was sent from the Governor's office to the office of a daily newspaper for publication without any specified statement as to whether it should be published daily or weekly, constitutes no ground for a daily charge, inasmuch as legal advertising is invariably published once a week, instead of every day, unless otherwise specifically ordered by the authority directing the advertising to be done.

Ex-Governor Markham tells me, in explanation of this matter, that he did not consider it necessary to specifically state in the executive circulars sent to daily newspapers, with this advertisement, that it *must not be published daily*, because he assumed that the publishers knew the law and would not abuse their opportunity. You can see very readily that if there had been authority of law, or an executive order for this publication in the Los Angeles Times, we would naturally have complied therewith and published the advertisement daily instead of weekly; we did not do so, but published it only weekly, fourteen times in all, and have rendered a bill for \$243 therefor, as against \$1,700, \$1,800, \$2,200, \$3,400, \$4,800, and \$5,100, respectively, charged by other daily newspapers, several of which have at least one third less circulation than has the Times. Only the San Francisco papers exceed it.

2. As to those newspapers which published the advertisement and rendered bills therefor, admitting that they had no written authority for their action, it is clear that such bills should be thrown out.

3. As to the rates charged, it is manifestly and grossly improper that the *single-time rate* of the several newspapers should be applied, whether the publication were daily or weekly. The application of that rate is wholly unjust to the State; is excessive, and wholly unwarranted in practice.

The regular schedule rate of the newspaper making the charge, and that rate only, should be applied, taking into account the length in inches and the duration in time of the advertisement—in this case twenty-seven inches and about three and one half months.

4. The rate in every case should be based on circulation; should be the same as charged to the most favored advertisers by the newspapers, respectively, and should include the usual discount allowed to private patrons under like conditions, these discounts being based on length of advertisement and length of time which it runs.

5. All bills rendered for this advertising should be supported by the affidavit of the publisher, which affidavit should set out the authority for the publication; the number of times published; the length, in inches; the rate according to regular advertising schedule of such paper; a declaration that the advertisement is charged at no higher rate than is customarily charged to private patrons under like conditions; and the further declaration that the State has been given the benefit of all concessions in rates, and all discounts which the publisher is in the habit of giving to commercial or mercantile advertisers in his journal, under like conditions.

6. The space occupied by the advertisement in question was twenty-seven inches in our case. It should be about the same in other papers, but might reach twenty-nine or thirty inches in papers whose columns are a fraction narrower than ours. There is no warrant of law, nor of custom, in publishing legal advertisements, for the expansion of such advertisements by leading, by unnecessary blank lines, or by "spread" headings.

7. Finally, I suggest that if these excessive charges are persisted in by the publishers, copies of their regular advertising schedules in actual use during the period covered by the advertisement should be required by the Finance Committees of the two houses, and the rate figured out by experts for an advertisement of the length and duration in question, so as to circumvent entirely the effort, if made, to apply the *one-time rate* to an advertisement running *three and one half months*.

I believe, further, that the Legislature would be perfectly justified, both legally and in the eyes of the people, if it would pass a law to settle cases like this, to protect the State, to prevent the gross inequalities and injustices which are involved in these bills, and at the same time do substantial justice to all honest newspapers in this matter.

This is all I want, and I have no motive in the matter save to see substantial justice done, the State protected, and a gross and needless scandal in the field of California journalism, as well as in the Legislature of the State, averted.

I am yours truly,

H. G. OTIS.

P. S.—You told me that some of the persons presenting bills endeavored to explain away the startling discrepancy between their charges and ours, by saying that we published the advertisement "only weekly." I will show you by a few figures that even that was a shameless subterfuge. In the first place, our regular schedule commercial rates for advertising are considerably higher than those of any other paper in the State outside of the leading dailies of San Francisco. Under these rates our charge for this advertisement of twenty-seven inches in length would be, if published daily, seven days a week for the whole period in question, about three and one half months, *only \$1,13 1/4 gross*. From this there would be (to a commercial advertiser) a discount of 10 per cent, leaving a net charge of \$1,021. Compare this with the charges made by the other dailies here, having just about one half our sworn circulation, and you will see that their charges are *more than double* in one case, and *more than treble* in the other case.

I submit all these facts to you as conclusive proof of the need for rigid and searching examination on the part of the Legislature, in order that the excessive charges, the gross inequalities, and the flagrant injustices involved in this case may be prevented by the law-making power of the State.

I submit a copy of our advertising schedule now in force, and invite you to call in any fair-minded expert to figure this thing out, and make a comparison between our charge and those of other newspapers. Of course, when it comes down to the less important newspapers of the State—the small dailies and the county weeklies—you can see how entirely out of the way are their charges in many cases when compared with the charge which we have made, even had we been authorized to publish the matter daily.

I will add only one sentence to this already lengthy letter, viz.: Let the committees not permit themselves to be confused and overcome by a multitude of technical assertions and so-called expert testimony given on behalf of the men who are trying to push these bills through. There is nothing so terribly complicated about this matter of estimating the cost of advertisements. It can be figured as readily as simple interest—and *compound interest* is just what you don't want.

Yours,

H. G. O.

PETITIONS.

The following petitions and memorials were presented and ordered printed in the Journal:

By Senator Voorheis:

SAN FRANCISCO, CALIFORNIA, February 7, 1895.

Hon. E. C. Voorheis, Sacramento, California:

We, the undersigned, do most respectfully ask that you will favor Assembly Bill No. 474.

The cemeteries are nearly surrounded by valuable property on which are erected handsome residences and business houses. No doubt but that in time the remains of all deceased persons will be removed, as were those that were buried in the old cemetery where the City Hall now stands. The sooner the better, as lots are cheaper in San Mateo County, and very easy and cheap to get there by rail and electric cars.

Very respectfully yours,

H. T. EMERY.
W. N. HARTWELL.
R. C. DOWNS.
H. P. LONDON.
W. E. DOWNS.
JOHN TAYLOR.

Senator McAllister presented the following petition, signed by A. W. Glass and two hundred and eighty-nine others:

To the Legislature of the State of California:

The undersigned, residents and taxpayers of Contra Costa County and Agricultural District No. 23, believing that the appropriation of \$3,500 heretofore received by Agricultural District No. 23 has been judiciously expended, and knowing that it has been distributed entirely among residents of said district, and thus contributing to their benefit and the advancement of agricultural interests, and also believing that the slight increase in the tax rate necessary will not be felt, would most respectfully petition that the appropriation be continued.

Senator Shine introduced the following petition from Modesto, signed by Elder J. M. Monroe and one hundred and eighty-five others:

To the Honorable Legislature of the State of California:

The undersigned, having learned with deep solicitude that it is proposed to ask your honorable body to enact a uniform liquor license law, whereby our present local option right, as lodged with counties and municipalities, would be repealed, do most earnestly request that no such change be made; but instead that all be done to strengthen and simplify our present right of local government of the liquor traffic, and your petitioners shall ever so pray.

Also the following petition, signed by J. H. Neale and one hundred and five others.

We, the undersigned, interested in mines and mining in Sonora and the county of Tuolumne, hereby enter our vigorous protest against the proposed abolishment of the State Mining Bureau, or its transfer to the State University at Berkeley.

The Mining Bureau is the only State institution maintained in the interest of the miners of California, and is doing useful and satisfactory work. It should be continued as it is, and a liberal appropriation given to still further help the mining interests of California, which need fostering just as much as those of an agricultural nature.

Senator Earl introduced the following petition from Oakland, signed by H. G. McFarlin and one hundred and forty others:

To His Excellency Hon. JAMES H. BUDD, Governor of the State of California, and to the Honorable the Members of the State Senate and Assembly:

GENTLEMEN: We most earnestly petition you, in your respective capacities, to use your best efforts to secure the enactment of the measure providing "For the establishment of free employment offices in all first and second class cities, and under the direction of the Commissioner of Bureau of Labor Statistics." We particularly recommend its enactment because of the direct and beneficial effect to all labor interests, both of the employer and employed.

Senator Seymour introduced the following petition, signed by A. D. Bedford, M.D., and one hundred and seventy-nine others:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Also a like petition, signed by C. W. James and one hundred and eighty-seven others.

Senator Shine introduced the following petition, signed by Henry G. Turner and fourteen others:

To the California House of Representatives, 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Senator Martin also introduced a like petition, signed by W. R. Arthur and thirty-three others.

Senator Orr also introduced a like petition, signed by Rev. R. Pratt and sixty-one others.

Senator Aram also introduced a like petition, signed by Sudie Phillips and forty-two others.

Senator Whitehurst also introduced a like petition, from Grace Collins and sixty-four others.

Senator Earl introduced the following petition, signed by Georgia Loughlin and ninety-nine others:

NORTH OAKLAND, CALIFORNIA, February 18, 1895.

To members of the Senate Committee on Morals:

GENTLEMEN: We, the undersigned, citizens of North Oakland, ask you most respectfully to report favorably upon Senate Bill No. 420, which raises the age of consent from fourteen years to eighteen years; and that you urge every member of the Senate and the Assembly to cast his vote in its favor.

"An ounce of prevention is worth a pound of cure."

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

Senator Ford moved that the constitutional provision requiring bills to be introduced on certain days be suspended, and that he be permitted to introduce a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—28.

NOES—None.

INTRODUCTION OF BILL.

By Senator Ford: Senate Bill No. 877—An Act to provide for the labeling or stamping of all packages and boxes of fruit produced or handled by aliens, other than aliens who have declared their intention to become citizens of the United States, when placed upon the market, or in any form offered for sale within this State, and providing for a penalty for the violation of this Act.

On motion of Senator Ford, Senate Bill No. 877 was read the first time.

Bill referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

On motion of Senator Earl, the further consideration of Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the advertising of the constitutional amendments, and to make an appropriation therefor—was made a special order for Monday next, at three o'clock and thirty minutes P. M.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

By Senator Langford:

SENATE CONCURRENT RESOLUTION No. 9.

Relative to employment of convicts in the State Prisons.

WHEREAS, It is costing the taxpayers of this State upwards of three hundred thousand dollars per annum to maintain the State Prisons at San Quentin and Folsom and to support the twenty-one hundred convicts in those institutions in idleness or at non-productive labor; and whereas, in more than half the States in the Union the prisons are self-supporting, and in many are made to return an income to the State; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That in our judgment the State Board of Prison Directors should take immediate steps to place the convicts in our State prisons at some employment which shall assist in lessening the large appropriations demanded biennially for the support of these institutions.

The roll was called, and Senate Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Fay, Flint, Ford, Franck, Hart, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Orr, Pedlar, Seawell, Shine, Simpson, Tonér, Voorheis, Whitehurst, and Withington—24.

NOES—None.

On motion of Senator Langford, the resolution was forthwith transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 697—An Act to repeal an Act entitled "An Act to secure the wages of persons employed as laborers on threshing machines," approved March 12, 1885.

Also: Senate Bill No. 700—An Act to regulate the employment of laborers and mechanics on public works.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOLLOWAY, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 760—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 561—An Act to amend the Civil Code of the State of California by adding to part four, chapter one, division three, a new section, to be known as section one thousand seven hundred and forty-two, relating to contracts for the sale and future delivery of personal property.

Also: Senate Bill No. 808—An Act to create a Division of Poultry, and to provide for scientific and practical experimentation with poultry culture, under authority of the State University.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SHIPPEE, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 427—An Act to repeal "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises," approved March 23, 1893.

Also: Senate Bill No. 525—An Act regulating the charges of telephone companies, and of corporations and individuals operating telephone and telephone lines.

Also: Senate Bill No. 584—An Act repealing an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 37—An Act to regulate the business of running and conducting sleeping cars for profit over railroads within the State of California, and to provide a penalty for the violation of the provisions of this Act.

Also: Senate Bill No. 477—An Act prescribing the period in each year during which racing may take place upon any racetrack or grounds within the State of California.

Also: Senate Bill No. 541—An Act to protect life and property from destruction by electric wires.

Also: Senate Bill No. 545—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Also: Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California.

Also: Senate Bill No. 564—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Also: Senate Bill No. 693—An Act to amend sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-seven, six hundred and thirty-eight, and six hundred and forty-one of the Civil Code, relating to mutual building and loan associations.

Also: Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered three thousand six hundred and forty, relating to the assessment of franchises.

Have had the same under consideration, and respectfully report the same back without recommendation.

ORR, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That R. A. May be and is hereby allowed the sum of forty-five dollars for nine days' services as Bill Filer to the Senate, from January 7th to January 16th, payable out of the fund for contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is ordered to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report of committee and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Frank, Gleaves, Hart, Henderson, Holloway, Martin, Mathews, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Withington—27.

NOES—None.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 828—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to elections, and the appointment of election officers.

Also: Senate Bill No. 814—An Act to provide for the formation of societies for the promotion of physical culture, and other kindred associations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EARL, Chairman.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following resolution:

Resolved, That on and after Monday, March 4, 1895, the Senate shall hold evening sessions, beginning at seven o'clock and thirty minutes P. M.; *provided*, that no evening sessions shall be held on Saturdays.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

EARL, Chairman.

The roll was called, and the report of committee and resolution adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—32.
NOES—None.

RESOLUTION.

By Senator McAllister:

Resolved, That the Sergeant-at-Arms prepare an inventory of all furniture purchased by the Senate for the Senate Chamber and committee-rooms at this session, and report such inventory to this body.

Adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 28, 1895. }

To the Senate of the State of California :

I have the honor to inform your honorable body that I have approved Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

JAMES H. BUDD, Governor.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of February, passed Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 34 ordered to enrollment.

LEAVE OF ABSENCE.

Senator Bert was granted a leave of absence for the remainder of the day.

RECESS.

At twelve o'clock M. a recess was declared until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDERS.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

On motion of Senator Seawell, Assembly Bill No. 248 was reset as a special order for consideration at two o'clock P. M. on Tuesday next.

Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

The consideration of Assembly Bill No. 617 was temporarily postponed, it not having been returned by the printer.

LEAVE OF ABSENCE.

On motion of Senator Voorheis, a leave of absence for the remainder of the week was granted Senator Denison.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

On motion of Senator Ford, the bill was passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Dunn, Fay, Flint, Ford, Franek, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, Voorheis, and Whitehurst—28.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 19—Proposed amendment to article three, section seven, of the Constitution, relative to corporations.

On motion of Senator Earl, Assembly Constitutional Amendment No. 19 was passed on file.

Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read third time, and finally passed by the following vote:

AYES—Senators Androus, Dunn, Earl, Ford, Franek, Gleaves, Hart, Holloway, Hoyt, Langford, Martin, Mathews, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—22.

NOES—Senators Beard and Fay—2.

Title read and approved.

Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

On motion of Senator Gesford, passed on file.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Passed on file.

Assembly Bill No. 553—An Act to authorize the State Board of

Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Bill read third time.

Senator Pedlar moved that Senator Simpson be appointed a special committee of one to amend as follows:

Prefix to last line in bill the following: "Section 3."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 553, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

Bill ordered to print.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Read second time, and ordered on file for third reading.

Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Read second time, and ordered on file for third reading.

THIRD READING OF BILLS.

Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Read third time, and finally passed by the following vote:

AYES—Senators Androus, Beard, Burke, Dunn, Fay, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

Hon. E. C. Voorheis, State Senator from the Fourteenth District, in the chair.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Arims, Androus, Beard, Burke, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Read second time, and ordered on file for third reading.

Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

During the second reading of the bill, the following amendment by the committee was read:

Amend by striking out section two.

Adopted.

Bill read second time, ordered to print as amended, and on file for third reading.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file.

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River, and other inland waters of the State.

Passed on file.

ASSEMBLY JOINT RESOLUTION No. 14.

Substitute joint resolution relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County.

WHEREAS, The great and rapid growth of Southern California demands better deep-sea harbor facilities to accommodate and encourage the increasing commerce of that section; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be urgently requested and our Senators instructed to make every effort and use all honorable endeavors to immediately secure an adequate and liberal appropriation from the present Congress for the purpose of constructing a deep-sea harbor at San Pedro, in the county of Los Angeles, as selected or hereafter to be selected by the Government,

Resolved, That the Governor be requested to transmit a copy of this resolution immediately to each of our Senators and Representatives in Congress.

Resolution read.

The roll was called, and Assembly Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Passed on file.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Re-referred to Committee on Education and Public Morals, on motion of Senator Gesford.

Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872—number one hundred and sixteen on file, and be read third time, the bills being identical.

RESOLUTION.

By Senator McAllister:

Resolved, That Assembly Bill No. 501, number eighty-two on file, be substituted for Senate Bill No. 457—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872—number one hundred and sixteen on file, and be read third time, the bills being identical.

Adopted.

The history of Senate Bill No. 457 is: Bill read second time, engrossed, and on file for third reading.

The history of Assembly Bill No. 501 is: Bill ordered on file without reference to committee.

Assembly Bill No. 501 was then read.

The roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Henderson, Holloway, Hoyt, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Voorheis, Whitehurst, and Withington—27.
NOES—None.

Whereupon the bill was declared finally passed.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 23.

Joint resolution relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County.

WHEREAS, The Government of the United States has set aside and reserved certain sections of the State of California for a national park, known as Yosemite National Park; and whereas, there is no means of access to said park from the east, thus compelling the people living on the eastern slope of the Sierra Nevada Mountains to travel in a long, circuitous route in order to reach said park; and whereas, the visitors who enter said park from the west are prevented from viewing all the points of interest therein, and also from reaching the vicinity of Mono Lake, one of the natural wonders of the State, by reason of lack of road facilities; and whereas, a free wagon road connecting said Yosemite National Park and Mono Lake would be of benefit to the people of the State of California and the nation at large; therefore, be it

Resolved by the Assembly, the Senate concurring, That we instruct our Senators from this State, and request our Representatives in Congress, to urge Congress to appropriate sufficient money to survey, locate, and construct a free wagon road from Mono Lake to Yosemite Valley.

Resolved, That the Governor be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

Resolution read.

The roll was called, and Assembly Joint Resolution No. 23 adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Dunn, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell,

Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Withington—28.
NOES—None.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Read first time, and ordered on file for second reading.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Read first time, and ordered on file for second reading.

ASSEMBLY CONCURRENT RESOLUTION No. 14.

WHEREAS, There was printed for free distribution at the Columbian Exposition one hundred and five thousand copies of a pamphlet called the "Resources of California"; and whereas, about five thousand copies remain in the hands of the Secretary of State; and whereas, they are of no intrinsic value to the State; and whereas, the State Board of Trade offers to take and distribute the same, without cost to the State; therefore, be it
Resolved by the Assembly, the Senate concurring, That the Secretary of State be authorized to deliver said pamphlets to the State Board of Trade or its authorized agents.

Resolution read.

The roll was called, and Assembly Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Fay, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Mahoney, Martin, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Voorheis, and Whitehurst—22.
NOES—None.

ASSEMBLY JOINT RESOLUTION No. 11.

Joint resolution relative to the control of the Maritime Quarantine Service at the Port of San Francisco.

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to urge upon the Secretary of the Treasury that the Department assume entire control of the Maritime Quarantine Service at the Port of San Francisco.

Resolution read.

The roll was called, and Assembly Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Mathews, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—22.
NOES—Senators Arms, Martin, and McAllister—3.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

ASSEMBLY JOINT RESOLUTION No. 17.

Joint resolution relative to the National Conventions.

WHEREAS, In the progress and development of our political system, it has become the settled policy of the people to quadrennially meet, in their respective party National Conventions, to confer together touching the lines of policy to be pursued in campaigns preceding national elections; and whereas, by reason of the immense geographical area of our country, and the great diversity of interests, it is inevitable that vast numbers of the citizens of the nation are unfamiliar with the conditions existing throughout the Union; and believing that the holding of National Conventions in different places, from time to time, will be highly beneficial to the representatives of the people attending such conventions, and also beneficial to the people in the territory adjacent to the location of such conventions, by tending to impress upon all the magnitude of our country, and the importance of close attention to the duties of citizenship, and thereby stimulate general interest and strengthen our patriotic instincts; and whereas, by reason

of topographical conditions, the States and Territories lying west of the Rocky Mountains are to a certain extent withdrawn from intimate association with the remainder of the nation; and in view of the fact that no National Convention of either of the leading political parties of the nation has ever been held west of the Rocky Mountains; and believing that by reason of expanse of territory, number of inhabitants, and volume of commerce, we are justified in asking the managers of the National Political Committees of the leading political parties to hold their conventions for the nomination of candidates for the offices of President and Vice-President in eighteen hundred and ninety-six at some point in some of the Pacific Coast States; and whereas, we desire to cooperate with, and to receive the cooperation of, our sister States and Territories in this connection; and believing that the representatives of the respective parties can reach the principal cities of the Pacific Coast with reasonable convenience and cost; and realizing the importance of immediate and effective action, be it

Resolved by the Assembly, the Senate concurring, That the Governor be requested to at once communicate with the Governors of the States of Oregon, Washington, Idaho, Montana, and Nevada, and the Territories of Arizona, Utah, and New Mexico, requesting them to cooperate in uniting their influence with our own to secure early action by the National Committees of the Republican and Democratic parties, respectively, to the end that the National Convention of each of said parties shall be held at the most convenient place within the territory west of the Rocky Mountains; and that the Governor be requested to appoint at least three citizens of this State, and that he suggest to the Governors of such other States and Territories the feasibility of their appointing a similar number of their citizens, to constitute delegates to a preliminary convention, to meet at a seasonable time in the city of San Francisco, or the city of Sacramento, for the purpose of organizing and adopting a definite plan of action, for the purpose of securing the holding of such conventions on the Pacific Coast in eighteen hundred and ninety-six; and be it further

Resolved, That on behalf of California we earnestly invite the respective National Committees to hold their conventions within this State in the year eighteen hundred and ninety-six; and be it further

Resolved, That a copy of these resolutions be transmitted to each of the Governors of the States and Territories named, and to any others the Governor may deem advisable; and that a copy be transmitted to the Chairmen of the National Republican and National Democratic Committees.

Resolution read.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Aram, Androus, Dunn, Earl, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Voorheis, and Whitehurst—23.

NOES—None.

ASSEMBLY JOINT RESOLUTION No. 16.

Joint resolution relative to the proposed Pacific cable.

WHEREAS, The increasing necessity and great importance to the people of the United States, and particularly of the people of the State of California, is apparent, that the proposed "Pacific cable" between the United States of America and the Republic of Hawaii be undertaken, assisted, and laid, without delay, by our Government if necessary; therefore, be it

Resolved, That our Senators and Representatives in Congress be earnestly requested to use their united efforts to secure the laying of said cable, and that the Governor be requested to transmit to each of said Senators and Representatives in Congress a copy of this resolution.

Resolution read.

The roll was called, and Assembly Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Dunn, Earl, Flint, Franck, Hart, Henderson, Holloway, Hoyt, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—None.

ASSEMBLY CONCURRENT RESOLUTION No. 11.

WHEREAS, Several proposed amendments to article thirteen of the Constitution, relating to revenues and taxation, have been introduced in the two houses of the Legislature; and whereas, there is great danger lest independent action shall result in conflicting and embarrassing legislation on the subject; therefore, be it

Resolved, the Senate concurring, That all resolutions proposing amendments to said article thirteen, of the two houses, be and are hereby referred to a special committee,

consisting of the Senate and Assembly standing committees on Constitutional Amendments, and that said special committee be and is instructed to report its conclusions and recommendations thereon to the respective houses.

Resolution read.

The roll was called, and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Dunn, Fay, Flint, Franck, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.
NOES—None.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

Assembly Constitutional Amendment No. 3 referred to Special Committee on Constitutional Amendments.

SECOND READING OF BILL.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

During the second reading, the following amendment was submitted by Senator Voorheis:

Amend by striking out of section one, line one hundred and ninety-three, the words "in civil cases only."

Lost.

Pending the second reading, Senator Withington moved that further consideration be made a special order for to-morrow, immediately after the reading of the Journal, to follow other special orders set for that hour.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works—beg leave to report that the same has been correctly reengrossed.

SMITH, Chairman.

THIRD READING OF BILL.

Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

The third reading of the bill was proceeded with.

Senator Orr moved that Senator Simpson be appointed a special committee of one to amend as follows:

Strike out of section one, lines one hundred and thirty and one hundred and thirty-one, the words "one thousand two hundred," and insert instead "two thousand two hundred and fifty."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

Senator Ford moved that Senator Voorheis be appointed a special committee of one to amend as follows:

By inserting in section one, after line three hundred and sixteen, the words "for aid to Agricultural District Number Forty-four, to be created, two thousand five hundred dollars. For aid to District Agricultural Society Number Forty-five, to be created, two thousand five hundred dollars."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Androus, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Hoyt, Mahoney, Martin, Orr, Seawell, Seymour, Shine, and Shippee—15.

NOES—Senators Beard, Burke, Dunn, Fay, Franck, Holloway, McGowan, Mitchell, Pedlar, Simpson, Voorheis, Whitehurst, and Withington—13.

On motion of Senator Orr, the consideration of special orders heretofore set for this hour, three o'clock and thirty minutes P. M., was temporarily postponed.

Senator Orr moved that Senator Pedlar be appointed a special committee of one to amend as follows:

By reducing appropriations for all district agricultural associations, and for State Agricultural Association, to one half amount in printed bill as now amended.

The ayes and noes were demanded by Senators Hoyt, Langford, and Seawell.

The roll was called, and the motion to appoint carried by the following vote:

AYES—Senators Androus, Beard, Burke, Dunn, Fay, Flint, Franck, Holloway, McAllister, Mitchell, Orr, Pedlar, Shippee, Simpson, Voorheis, Whitehurst, and Withington—17.

NOES—Senators Aram, Arms, Earl, Ford, Gleaves, Hart, Henderson, Hoyt, Langford, Martin, Mathews, McGowan, Seawell, Seymour, Shine, and Toner—16.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDLAR, Committee.

The question being on the adoption of the report of the special committee of one.

Senator Seawell moved to amend the same by striking out of said report "and for State Agricultural Association."

Ayes and noes were demanded by Senators Seawell, Voorheis, and Flint.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Flint, Martin, Orr, Pedlar, Seawell, Shippee, Voorheis, and Whitehurst—8.

NOES—Senators Aram, Arms, Androus, Beard, Burke, Dunn, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Mahoney, Mathews, McAllister, McGowan, Mitchell, Seymour, Shine, Simpson, Toner, and Withington—23.

The question being on the adoption of the report of the special committee of one.

The ayes and noes were demanded by Senators Hart, Voorheis, and Burke.

The roll was then called on the adoption of the report of the special committee of one, and the same and amendment were refused adoption by the following vote:

AYES—Senators Burke, Dunn, Fay, Gesford, Holloway, McAllister, Mitchell, Orr, Pedlar, Shippee, Simpson, Voorheis, Whitehurst, and Withington—14.

NOES—Senators Aram, Androus, Beard, Earl, Ford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, McGowan, Seawell, Seymour, Shine, and Toner—18.

Senator Ford moved that the Senate proceed to reconsider the vote whereby the Senate this day adopted the report of the special committee of one constituted by Senator Voorheis.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Beard, Fay, Flint, Ford, Franck, Hart, Holloway, Hoyt, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, and Whitehurst—17.

NOES—Senators Aram, Dunn, Simpson, and Toner—4.

Whereupon Senator Ford, by unanimous consent of the Senate, withdrew said amendment and report of special committee of one.

Senator Ford moved that Senator Voorheis be appointed a special committee of one to amend as follows:

Amend by striking out of section one, line two hundred and sixty-eight, the words "four thousand five hundred," and inserting the following: "three thousand."

Also: Amend by striking out of section one, lines two hundred and ninety-six and two hundred and ninety-seven, the words "four thousand five hundred," and inserting the following: "three thousand."

Also: Amend by inserting in section one, after line three hundred and six, the words "For aid to District Agricultural Society Number Forty-four, to be created, three thousand dollars; for aid to District Agricultural Society Number Forty-five, to be created, three thousand dollars."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Report of committee of one and amendments adopted.

Senator Pedlar moved that Senator Simpson be appointed a special committee of one to amend as follows:

Reduce appropriations for all district agricultural societies one half the amount allowed in bill as printed and now amended.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

The ayes and noes were demanded by Senators Pedlar, Simpson, and Dunn.

The roll was called, and the report of the special committee of one and amendment lost by the following vote:

AYES—Senators Burke, Dunn, Fay, Langford, McAllister, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Voorheis, and Whitehurst—13.

NOES—Senators Aram, Arms, Androus, Beard, Earl, Flint, Ford, Gesford, Henderson, Holloway, Hoyt, Mahoney, Martin, McGowan, Seymour, Shine, Toner, and Withington—18.

Senator Shippee moved that Senator Orr be appointed a special committee of one to amend as follows:

Amend at end of line two hundred and twenty-seven, section one, as follows: "This appropriation shall not be subject to the provision of section four of this Act."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

ORR, Committee.

Report of committee of one and amendment adopted.

Bill read third time, and ordered to print as amended and on file for final passage.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners.

Read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Langford, Martin, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—27.

NOES—Senator Dunn—1.

Title read and approved.

On motion of Senator Orr, Senate Bill No. 290 was ordered transmitted to the Assembly forthwith.

Hon. Frank McGowan, State Senator from the First District, in the chair.

Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Resolution read, and on motion of Senator Earl, was set as a special order for consideration on Tuesday next, at four o'clock and thirty minutes P. M.

WITHDRAWAL OF BILL.

Senate Bill No. 696—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Senator Withington asked unanimous consent to withdraw Senate Bill No. 696.

Granted.

Senate Bill No. 696 withdrawn.

SECOND READING OF BILL.

Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers, in all municipal corporations of the third and fourth classes in the State of California.

During the second reading, Senator Pedlar moved to amend as follows:

Strike out the word "shall" in lines two, four, and five of section one, and insert in lieu thereof the word "may."

Pending action on the amendment, Senator Withington moved that the bill be referred to Committee on Judiciary, and be set as a special order for further consideration on Monday next, at three o'clock and thirty minutes P. M., the Judiciary Committee in the meantime to report on the constitutionality of the bill.

So ordered.

LEAVE OF ABSENCE.

Senator Beard was granted a leave of absence for to-morrow.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 856—An Act to provide for the repayment, by the State of California, of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant, as finally surveyed and patented by the United States Government, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

Senate Bill No. 856 referred to Committee on Finance.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHONEY, Chairman.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Senator Arms:

SENATE CONCURRENT RESOLUTION No. 10.

Resolved by the Senate, the Assembly concurring, That when the Senate and Assembly do adjourn on March 8, 1895, said adjournment be sine die.

Senator Arms moved the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Arms, Androus, Burke, Dunn, Fay, Ford, Franck, Gesford, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, Mitchell, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—22.

NOES—Senators Aram, Beard, Hart, McGowan, Orr, Pedlar, Shine, and Shippee—8.

Senator Ford gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Concurrent Resolution No. 10 was this day adopted.

Senator Ford moved that the Senate forthwith proceed to reconsider the vote.

So ordered.

Senator Ford moved that further consideration of Senate Concurrent Resolution No. 10 be made a special order for to-morrow, immediately after the reading of the Journal.

Lost.

Senator Androus gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Concurrent Resolution No. 10 was this day adopted.

ADJOURNMENT.

On motion of Senator Mahoney, the Senate, at four o'clock and fifty minutes P. M., adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, March 2, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Androus, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Dunn.

LEAVE OF ABSENCE.

Senator Bert was granted leave of absence for the day, on motion of Senator Ford.

Senator McAllister was granted leave of absence for the day, on motion of Senator Fay.

Senator Langford was granted leave of absence for the day, on motion of Senator Gleaves.

Senator Arms was granted leave of absence for the day, on motion of Senator Seawell.

Senator Biggy was granted leave of absence for the day, on motion of Senator Gesford.

Senator Burke was granted leave of absence for the day and Monday, on motion of Senator Withington.

APPROVAL OF JOURNAL.

The Journal of Thursday, February 28, 1895, was approved.

MOTION.

On motion of Senator Earl and by unanimous vote, the Senate proceeded to consider Senate Concurrent Resolution No. 8.

SENATE CONCURRENT RESOLUTION No. 8.

Concurrent resolution approving the charter of the town of Berkeley, in Alameda County, California, voted for and ratified by the qualified electors of said town at a special election held therein for that purpose, on the twenty-sixth day of February, eighteen hundred and ninety-five.

WHEREAS, The Town of Berkeley, in Alameda County, is now and at all times herein referred to was a town containing a population of more than ten thousand and not more than one hundred thousand inhabitants; and whereas, at a special election duly held therein on the sixth day of November, eighteen hundred and ninety-four, according to law and to the provisions of section eight, of article eleven, of the Constitution of this State, a Board of Fifteen Freeholders, duly qualified, was duly elected in and by said town and by the qualified electors thereof, to prepare and propose a charter for said town, which Board of Freeholders did, within ninety days after said election, prepare and propose a charter for said town; and whereas, the same was, on the twenty-ninth day of December, eighteen hundred and ninety-four, signed in duplicate by a majority of the members of said Board of Freeholders, and was on the thirty-first day of December, eighteen hundred and ninety-four, returned and delivered one copy thereof to the President of the Board of Trustees of said Town of Berkeley and the other copy thereof to the Recorder of Alameda County (within which said town is situated); and whereas, such proposed charter was then published in two daily newspapers of general circulation in said town, to wit: in the "Berkeley Daily Advocate" and in "The Gazette," in each instance for more than twenty days, such publication having been commenced within twenty days after the completion of said proposed charter; and whereas, said charter was submitted (within not less than thirty days after the completion of said publication) by the legislative authority of said town, to wit: by the Board of Trustees thereof, to the qualified electors of said town, at a special election, previously duly called and thereafter held therein, on the twenty-sixth day of February, eighteen hundred and ninety-five; and whereas, at said special election a majority of such qualified electors of said town voting at said special election, did vote in favor of and ratify said charter so proposed, and the same is now submitted to the Legislature of the State of California for its approval or rejection as a whole, as provided for in section eight, of article eleven, of the Constitution; and whereas, the said charter so ratified is in the words and figures, to wit:

CHARTER FOR THE TOWN OF BERKELEY.

Prepared and proposed by the Board of Fifteen Freeholders, elected November sixth, eighteen hundred and ninety-four, in pursuance of the provisions of section eight, article eleven, of the Constitution of the State of California.

ARTICLE I.

RIGHTS AND LIABILITIES.

SECTION 1. The municipal corporation now existing and known as "The Town of Berkeley" shall continue to be a municipal corporation under the same name that it now has.

SEC. 2. The said corporation shall have perpetual succession, may sue and defend in all Courts and places, and in all matters and proceedings whatever, and may have and use a common seal, and alter the same at pleasure; and may purchase, receive, hold, and enjoy real and personal property, within and without the Town of Berkeley, and sell, convey, and dispose of the same for the common benefit; receive bequests, donations, and gifts of all kinds of property within and without the town, in fee simple, or in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such gifts, bequests, and donations, with power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gifts, bequests, or trusts.

SEC. 3. The said corporation shall be and continue vested with all the property rights and rights of action of every kind now belonging to the Town of Berkeley, and shall succeed to all the property of the present Board of Education of the town, and shall be subject to all the liabilities now existing against said town, or against said Board.

ARTICLE II.

BOUNDARIES AND WARDS.

Boundaries of the Town.

SEC. 4. The boundaries of the Town of Berkeley shall be as follows:

All that land or territory heretofore included and contained in the Town of Berkeley, County of Alameda, State of California, which said territory is more specifically bounded and described as follows, to wit:

Beginning at the point of intersection of the boundary line between Alameda County and Contra Costa County with the easterly line of plot number eighty-three, as per Kellersberger's map of the subdivision of the Rancho of Vicente and Domingo Peralta, of record in the office of the County Recorder of Alameda County, thence southerly along the easterly line of said plot eighty-three and plots eighty-two and eighty, and the easterly line of plots seventy-six and seventy-five produced northerly, to a point on the easterly line of plot seventy-six, from which a line running at right angles to said easterly line of said plot seventy-six in a westerly direction would intersect Telegraph Avenue at a point seven hundred and sixty-five (765) feet south of the south line of Ashby Avenue; thence westerly and parallel with said south line of Ashby Avenue to the easterly line of Lorin Villa Tract if produced northerly in a direct line; thence southerly and along said easterly line of the Lorin Villa Tract produced as aforesaid, and the extension thereof southerly to a point one hundred and thirty-five (135) feet southerly from the southerly line of Alcatraz Avenue; thence westerly and parallel with the said southerly line of Alcatraz Avenue to the line dividing plots numbers forty-six and fifty-two of V. and D. Peralta Rancho; thence southerly along said last line to a point on said line one hundred and thirty-five (135) feet southerly from the southerly line of Todd Street, as shown on map of Paradise Park; thence westerly and parallel with the southern line of Todd Street to a point one hundred (100) feet westerly from the western line of Occidental Street, as shown on said map of Paradise Park Tract (said Occidental Street being that street now known as Calais Street); thence northerly and parallel with the said Calais Street to a point one hundred (100) feet southerly from the southerly line of Alcatraz Avenue; thence westerly and parallel with the said southern line of Alcatraz Avenue to a point one hundred and sixty (160) feet west of the westerly line of Idaho Street, as shown on map of the Herzog Tract; thence northerly and parallel with the said western line of said Idaho Street, as shown on map of the Herzog Tract and of the Rock Island Tract, to a point one hundred (100) feet southerly from the southern line of Blackstone Street, as shown on map of Dohr Tract; thence westerly and parallel with the said southern line of said Blackstone Street to a point one hundred (100) feet westerly from the westerly line of Mabel Street, as shown on "Map of a portion of the Dohr Tract," if said western line of said Mabel Street were extended in a direct line southerly; thence northerly and parallel with the said western line of the said Mabel Street, and the extension thereof southerly to a point one hundred (100) feet southerly from the southerly line of Haskell Street, as shown on map of the Carrison Tract; thence westerly and parallel with the said southerly line of Haskell Street to the eastern line of San Pablo Avenue; thence northerly along the said eastern line of the said San Pablo Avenue ninety-five (95) feet; thence westerly across San Pablo Avenue to a point on the westerly line thereof distant one hundred and ten (110) feet northerly from the northerly line of

Union Street, as said Union Street is shown on map of the Villa Homestead Tract; thence westerly and parallel with the said northern line of the said Union Street to the western boundary of Alameda County; thence northerly and along the said western boundary of Alameda County to a point from which a line drawn easterly at right angles to the westerly line of First Street, in Tract "B" of the lands of the Berkeley Land and Town Improvement Association, would intersect said westerly line of said First Street at Cordonices Creek; thence easterly in a straight line to the point of intersection of the west line of said First Street with Cordonices Creek; thence easterly along said creek to a point where the northerly line of Kellersberger's plots eighty-three, eighty-four, and eighty-five, if produced westerly in a direct line, would first intersect said Cordonices Creek; thence easterly along said northerly line of said plots produced westerly, as aforesaid, to the boundary line between Alameda County and Contra Costa County; thence southerly and southeasterly along said boundary line to the point of beginning.

Wards.

SEC. 5. The town shall be and is hereby divided into seven wards, the respective boundaries of which shall be as follows, to wit:

FIRST WARD. Bounded on the north and east by the boundary line of the Town of Berkeley; on the south by the northerly line of the State University grounds to its intersection with the center line of Oxford Street; thence by the center line of College Way and the said center line of College Way produced westerly to its intersection with the center line of Grove Street, and thence by the center line of Bristol Street to the center line of Sacramento Street; on the west by the center line of Sacramento Street northerly to the center line of Hopkins Street; thence westerly along said center line of Hopkins Street to the center line of Albina Avenue; thence northerly along the center line of Albina Avenue to the northern boundary line of the town.

SECOND WARD. Bounded on the north by the northerly line of the State University grounds to its intersection with the center line of Oxford Street; on the west by the center line of Oxford Street southerly to its intersection with the center line of Allston Way; thence easterly along said center line of Allston Way to its intersection with the center line of Ellsworth Street; thence southerly along said center line of Ellsworth Street, and the center line of Ellsworth Street produced to its intersection with the center line of Parker Street; on the south, by the center line of Parker Street easterly to the center line of College Avenue; thence southerly along said center line of College Avenue to its intersection with the center line of Golden Gate Avenue (or Russ Street), and by the center line of Golden Gate Avenue (or Russ Street), and its extension easterly to its intersection with the easterly boundary line of the town; and on the east by the easterly boundary line of the town.

THIRD WARD. Bounded on the north by the center line of College Way and the said center line of College Way produced westerly to its intersection with the center line of Grove Street, and thence westerly by the center line of Bristol Street to the center line of Sacramento Street; on the west by the center line of Sacramento Street and the said center line of Sacramento Street produced southerly to its intersection with the center line of Blake Street; thence easterly along said center line of Blake Street to its intersection with the center line of Sacramento Street, formerly known as Lowell Street, and by the center line of said Sacramento Street to its intersection with the center line of Parker Street; on the south by the center line of Parker Street to its intersection with the center line of Ellsworth Street produced, and on the east by the center line of Ellsworth Street produced and the center line of Ellsworth Street northerly to its intersection with the center line of Allston Way, thence westerly along said center line of Allston Way to its intersection with the center line of Oxford Street; thence northerly by the center line of Oxford Street to its intersection with the center line of College Way.

FOURTH WARD. Bounded on the north by the center line of Golden Gate Avenue (or Russ Street) produced and the center line of Golden Gate Avenue (or Russ Street) to its intersection with the center line of College Avenue; thence northerly along said center line of College Avenue to its intersection with the center line of Parker Street; thence westerly by the center line of Parker Street to its intersection with Grove Street; on the west by the center line of Grove Street to its intersection with the center line of Woolsey Street, formerly known as Kent Street; on the south by the center line of Woolsey Street to its intersection with the center line of Shattuck Avenue; thence southerly along said center line of Shattuck Avenue to its intersection with the southerly boundary line of the Town of Berkeley, and by the southerly boundary line of the town, and on the east by the easterly boundary line of the town.

FIFTH WARD. Bounded on the north by the center line of Parker Street, westerly from its intersection with the center line of Grove Street to its intersection with the center line of San Pablo Avenue; on the west, by the center line of San Pablo Avenue, southerly to its intersection with the southerly boundary line of the Town of Berkeley; on the south, easterly following the southerly boundary line of the town to its intersection with the center line of Shattuck Avenue; on the east, northerly by the center line of Shattuck Avenue to its intersection with the center line of Woolsey Street; thence westerly along the center line of Woolsey Street, to its intersection with the center line of Grove Street; thence northerly by the center line of Grove Street to its intersection with the center line of Parker Street.

SIXTH WARD. Bounded on the north by the center line of University Avenue and its extension westerly to its intersection with the westerly boundary line of the Town

of Berkeley; on the west by the westerly boundary line of the town to its intersection with the southerly boundary line of the town; on the south by the southerly boundary line of the town to its intersection with the center line of San Pablo Avenue; on the east by the center line of San Pablo Avenue to its intersection with the center line of Parker Street; thence easterly by the said center line of Parker Street to its intersection with the center line of Sacramento Street; thence northerly along said center line of Sacramento Street to its intersection with the center line of Blake Street; thence westerly by said center line of Blake Street to its intersection with the center line of Sacramento Street produced southerly; thence northerly by the center line of Sacramento Street produced and by the center line of Sacramento Street to its intersection with the center line of University Avenue.

SEVENTH WARD. Bounded on the north by the northern boundary line of the Town of Berkeley, westerly to its intersection with the westerly boundary line of the town; on the west by the westerly boundary line of the town to its intersection with the center line of University Avenue produced; on the south by the center line of University Avenue produced, and the center line of University Avenue to its intersection with the center line of Sacramento Street; on the east by the center line of Sacramento Street northerly to its intersection with the center line of Hopkins Street; thence westerly along said center line of Hopkins Street to its intersection with the center line of Albina Avenue; thence northerly by the center line of Albina Avenue to its intersection with the northerly boundary line of the town.

Redistricting.

SEC. 6. The town shall, every five years, be redistricted into wards, as hereinafter provided.

ARTICLE III.

OFFICERS AND ELECTIONS.

Officers.

SEC. 7. The government of the town shall be vested in a Board of Trustees, to consist of seven members; a Board of Education, to consist of seven members; whenever a free public library and reading-room is established therein, five Trustees thereof; a Treasurer, who shall be ex officio Tax Collector; an Attorney, a Clerk, a Marshal, a Superintendent of Streets, an Assessor, an Auditor, two Justices of the Peace, an Engineer, and such subordinate officers as are hereinafter provided for.

Eligibility.

SEC. 8. No person shall be eligible to hold any office in the town, whether filled by election or appointment, unless he be a resident and elector therein, and shall have resided within the boundaries of the town as hereinbefore described for three years next preceding the date of such election or appointment.

Mode of election.

SEC. 9. The members of the Board of Trustees and of the Board of Education, and the Assessor, Marshal, Treasurer, and Clerk shall be elected by the qualified electors of the town, at a general municipal election, to be held therein on the second Monday in April in each odd-numbered year. The qualified electors of the town shall vote for the Assessor, Marshal, Treasurer, and Clerk by general ticket; the qualified electors of each ward shall vote only for the member of the Board of Trustees and the member of the Board of Education who is respectively to represent their particular ward; *provided*, that the first election under this charter shall be held on the second Monday in May, one thousand eight hundred and ninety-five, and the officers elected at such election shall hold office until their successors are elected and qualified as provided in this charter.

Term of office.

SEC. 10. The Marshal, Assessor, Treasurer, and Clerk shall hold office for the period of two years from and after the Monday next succeeding the day of such election and until their successors are elected and qualified.

At the first election under this charter seven members of the Board of Trustees and seven members of the Board of Education shall be elected. Those elected from the even-numbered wards shall hold office for a period of two years, or until their successors are elected and qualified, and those elected from the odd-numbered wards shall hold office for four years, or until their successors are elected and qualified. At each general municipal election thereafter members of the Board of Trustees and of the Board of Education shall be elected to succeed those whose terms are about to expire, and the members so elected shall hold office for a period of four years, or until their successors are elected and qualified.

The Attorney, the Superintendent of Streets, and the Engineer shall be appointed by the Board of Trustees, and shall hold office during the pleasure of such Board.

Vacancies.

SEC. 11. Any vacancy occurring in any of the offices provided for in this charter shall be filled by appointment by the Board of Trustees, except members of the Board of Education; but if such office be elective, such appointee shall hold office only until the next regular municipal election, at which time a person shall be elected to serve for the remainder of such unexpired term. In case a member of the Board of Trustees is absent from the meetings of the Board for the period of ninety days, unless by permission of the Board, his office shall, by the Board, be declared vacant, and the same filled as in the case of other vacancies.

Official bonds.

SEC. 12. The Clerk, Treasurer, Assessor, Auditor, Marshal, Superintendent of Streets, Attorney, and Engineer shall, respectively, before entering upon the duties of their respective offices, each execute a bond to the town in such penal sum as the Board of Trustees, by ordinance, may determine, conditioned for the faithful performance of his duties, including in the same bond the duties of all offices of which he is made by this charter ex officio incumbent. Such bonds shall be approved by the Board of Trustees. All bonds, when approved, shall be filed with the Clerk, except the bond of the Clerk, which shall be filed with the President of the Board of Trustees. All the provisions of any law of this State relating to the official bonds of officers, shall apply to such bonds, except as herein otherwise provided.

Oath of office.

SEC. 13. Every officer of the town, before entering upon the duties of his office, shall take and file with the Clerk the constitutional oath of office.

Compensation.

SEC. 14. The members of the Board of Trustees shall receive no compensation whatever, except while acting as Board of Equalization; *provided*, that the President of the Board of Trustees may receive such compensation as the Board of Trustees may by ordinance determine.

The members of the Board of Education shall receive no compensation whatever.

The Treasurer, Assessor, Auditor, Attorney, Engineer, Marshal, Superintendent of Streets, and Clerk shall severally receive, at stated times, a compensation to be fixed by ordinance by the Board of Trustees, which compensation shall not be increased or diminished after their election, or during their several terms of office.

Nothing herein contained shall be construed to prevent the Board of Trustees from fixing such several amounts of compensation, in the first instance, during the term of office of any such officer, or after his election.

The compensation of all other officers shall be fixed, from time to time, by the Board of Trustees.

Administering oaths.

SEC. 15. The President of the Board of Trustees and Chairman of each committee and each and every town officer (except policemen and firemen), shall have the power to administer oaths and affirmations relating to any business brought before the Board of Trustees or under consideration by their respective department.

Disposition of moneys collected.

SEC. 16. Every officer collecting or receiving any moneys belonging to or for the use of the town shall settle for the same with the Clerk on the first Monday in each month, and immediately pay the same into the treasury, on the order of the Clerk for the benefit of the funds to which such moneys respectively belong.

No officer to be interested in contract.

SEC. 17. No officer of the town shall be interested, directly or indirectly, in any contract with the town, or with any of the officers thereof, in their official capacity, or doing any work, or furnishing any supplies for the use of the town, or its officers, in their official capacity; and any claim for compensation for work done, or supplies and materials furnished, in which any such officer is interested, shall be void, and if audited and allowed shall not be paid by the Treasurer.

Any willful violation of the provisions of this section shall be deemed a misdemeanor and punished as such, and if found guilty said officer shall forfeit all rights to said office, and the same shall be declared to be vacant.

General election regulations.

SEC. 18. All elections in the town shall be held in accordance with the general election laws of the State, so far as the same may be made applicable, and no person shall be entitled to vote at such election unless he shall be a qualified elector of the county, enrolled upon the Great Register thereof at least fifteen days, and shall have resided in the town for at least thirty days next preceding such election. The Board of Trustees shall give such notice of each election as may be prescribed by ordinance, shall appoint Boards of Election, and fix their compensation, and establish election precincts and polling places, and may change the same; *provided*, that no part of any ward less than the whole thereof shall be attached to any other ward, or part thereof, in forming election precincts. At any municipal election the last printed Great Register of the county shall be used, but any elector whose name is not upon such printed register shall be entitled to vote, upon producing and filing with the Board of Election a certificate, under the hand and official seal of the County Clerk, showing that his name is registered and uncanceled upon the Great Register of such county; *provided*, that he is otherwise entitled to vote. The Board of Trustees shall judge of the qualification of their own members, and shall canvass all election returns, except those of the first election held under this charter. The Board of Trustees shall meet on the first Wednesday subsequent to the election as a Canvassing Board, and shall duly canvass the election returns in the manner prescribed by the general law.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

Legislative body: Board of Trustees.

SEC. 19. The legislative power of the Town of Berkeley shall be vested in a Board of Trustees, consisting of seven members.

Qualifications.

SEC. 20. From each of the seven wards of the town, there shall be elected by the qualified electors of the ward he is to represent, one member of the Board of Trustees, who shall have been at the time of his election a qualified voter within the boundaries of the town, as hereinbefore described, for a period of not less than three years, and a resident of the ward from which he is elected for a period of not less than six months. If a Trustee shall, during the term of his office, cease to be a resident of the town, his office shall by reason thereof be declared vacant.

Meetings.

SEC. 21. The Board of Trustees shall meet on the first Monday after the election of its members shall have been officially declared, and regularly at least once a month and at such other times as may be designated by resolution or ordinance. Special meetings may be called by the President of the Board or by four members of the Board uniting in a call. All the meetings of the Board shall be public.

Quorum.

SEC. 22. Four members of the Board shall be a quorum, and the affirmative vote of four members shall be necessary to pass any measure, but a less number than four may adjourn from day to day and compel the attendance of absent members, in such manner as the Board may prescribe.

Rules of proceeding.

SEC. 23. The Board of Trustees shall annually elect a President from its own members, who may be removed by an affirmative vote of not less than five members of the Board. The member so chosen as President of the Board shall have no other than his vote as Trustee.

President.

SEC. 24. The Board of Trustees shall establish rules for its proceedings.

The Board shall have the power to punish its members for disorderly conduct in its presence, and may expel any member for malfeasance in office by an affirmative vote of five of its members.

The Board shall also have the power to compel the attendance of witnesses, and the production of all papers relating to any business properly before that body.

Ordinances and resolutions.

SEC. 25. The action of the Board of Trustees shall be by ordinance or resolution.

Ordinances: what constitutes.

SEC. 26. To constitute an ordinance a bill must before final action thereon be passed to print and published, with the ayes and noes, for two days; and in case of any amendment being thereafter made must in like manner be republished as amended for not less than one day.

No action providing for any specific improvement, other than those provided under general statute, or the granting of any privilege or involving the lease, appropriation, or disposition of public property or expenditure of public money (except sums of less than five hundred dollars) or the levying of any tax or assessment, or the imposing of any new duty or penalty, shall be taken except by ordinance.

Ordinances: enacting clause.

SEC. 27. The enacting clause of all ordinances shall be in these words: "Be it ordained by the Board of Trustees of the Town of Berkeley as follows."

Ordinances to contain but one subject.

SEC. 28. Every ordinance shall embrace but one subject, which shall be clearly indicated in its title. But if any subject shall be embraced in an ordinance which shall not be expressed in its title, such ordinance shall be void only as to so much thereof as shall not be expressed in its title.

Ordinances: final passage, reconsideration.

SEC. 29. When any bill is put upon its final passage, and fails to pass, if a motion is made to reconsider, the vote upon such motion shall not be taken until the next meeting of the Board of Trustees.

No bill for the grant of any franchise shall be put on its final passage within thirty days after its introduction.

Ordinances: President's signature.

SEC. 30. Every bill after it has passed the Board of Trustees shall be presented to the President thereof for his signature. The President shall sign and return such bill to the Board within ten days after receiving it.

Ordinances: when to take effect.

SEC. 31. No ordinance passed by the Board of Trustees shall take effect until ten days after its passage, unless a different date be provided in the enactment.

Ordinances: amending.

SEC. 32. No ordinance shall be amended by reference only to its title, but when any ordinance is amended the section or sections thereof shall be reenacted at length as amended.

Violation of ordinances.

SEC. 33. The violation of any ordinance of the town shall be deemed a misdemeanor, and may be prosecuted in the name of the people of California. Any person sentenced to imprisonment for the violation of any ordinance may be imprisoned in the town jail, or if the Board of Trustees shall by ordinance so prescribe, in the county jail of Alameda County; in which case the expense of such imprisonment shall be a charge in favor of the county of Alameda against the Town of Berkeley.

Board of Equalization.

SEC. 34. The Board of Trustees shall have power, and it shall be their duty to provide by ordinance a system for the assessment, levy, and collection of all town taxes not inconsistent with the provisions of this charter, which system shall conform, as nearly as the circumstances of the case may permit, to the provisions of the laws of this State in reference to the assessment, levy, and collection of State and county taxes, except as to the time of such assessment, levy, and collection, and except as to the officers by whom such duties are to be performed.

All taxes assessed, together with any percentage imposed for delinquency, and the costs of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by a sale of the real property affected; and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance or by actions in any Court of competent jurisdiction, to foreclose such liens; *provided*, that any property sold for such taxes shall be subject to redemption within the time and manner, and upon the terms provided, or that may hereafter be provided by law, for the redemption of property sold for State taxes.

All deeds made upon any sale of property for taxes or special assessments under the provisions of this charter, shall have the same force and effect in evidence as is or may hereafter be provided by law for deeds for property sold for non-payment of State taxes.

Levy and collection of taxes.

SEC. 35. The Board of Trustees shall meet at their usual place of holding meetings on the second Monday in August of each year, at ten o'clock in the forenoon of said day, and sit as a Board of Equalization, and shall continue in session from day to day until all the returns of the Assessor have been rectified; *provided*, they shall not sit as such Board later than the first Monday in September following, and on said last day they levy upon the assessed valuation of the property of said town a rate of taxation upon each one hundred dollars of valuation, which shall be entered upon their minutes. They shall then deliver the assessment roll to the Town Clerk, who shall compute and carry out the amount of tax so levied upon each parcel of property in said assessment roll contained. They shall have power to hear complaints and to correct, modify, or strike out any assessment, upon notice to the party whose assessment is to be raised. The corrected list for each tax shall be the assessment roll for said tax for said year. It shall be certified by the Town Clerk, who shall act as Clerk of the Board of Equalization, as being the assessment roll of said tax, and shall be the assessment roll upon which such tax is to be levied in said year.

Bond tax; library tax.

SEC. 36. Nothing in this charter contained shall be construed to prevent the levying and collecting of taxes for the payment of any bonded indebtedness and the interest thereon heretofore contracted by the Town of Berkeley, pursuant to statute, as are provided for in such statutes, in addition to the taxes herein authorized to be levied and collected; nor to prevent the levying and collecting the tax authorized by the Act entitled "An Act to establish free public libraries and reading-rooms," approved April twenty-sixth, eighteen hundred and eighty, in addition to the taxes herein authorized to be levied and collected.

Licenses, fines, and penalties.

SEC. 37. All moneys received for licenses, and from fines, penalties, and forfeitures, shall be paid into the General Fund.

Tax for special purposes.

SEC. 38. If at any time the Board of Trustees shall deem it necessary to incur any indebtedness in excess of the money in the treasury applicable to the purposes for which such indebtedness is to be incurred, they shall, if petitioned in writing to do so by not less than three hundred qualified electors of the Town of Berkeley, call a special election by the qualified electors of the town to determine whether such indebtedness shall be incurred; *provided*, that when such indebtedness proposed to be incurred shall not exceed the sum of ten thousand dollars, the question of incurring such indebtedness shall only be submitted to the qualified electors of the town at a general municipal election. No such indebtedness shall be incurred without the assent of two thirds of the qualified electors of said town voting on such question at such election. Before incurring such indebtedness, provision shall be made for the collection of a tax sufficient to pay the interest on such indebtedness as it falls due, and also to pay the principal thereof within one year from the time of contracting the same, and such tax shall be a special tax, and the levy therefor shall be in addition to the total levy provided for in section fifty of this charter.

Limit of debt to be incurred.

SEC. 39. The Board of Trustees shall not create, audit, or allow, or permit to accrue any debt or liability in excess of the available money in the treasury that may be legally apportioned for such purposes, except in the manner provided by general statute, or by this charter for incurring indebtedness; *provided*, that the Town of Berkeley, during the first year of its existence under this charter, may incur such indebtedness or liability as may be necessary, not exceeding in all the income and revenue provided for it for such year, nor shall any warrant be drawn, or evidence of indebtedness be issued unless there be at the time sufficient money in the treasury legally applicable to the payment of the same, except as herein provided.

Street Work.

SEC. 40. The Board of Trustees are hereby authorized and empowered to order any work authorized by this charter to be done upon the streets, avenues, highways, and public places of the town. All such work shall be done pursuant to and under the provisions of the general statutes of the State of California; *provided*, that in all cases where statutory proceedings may not be required, the ordinances, rules, and regulations adopted by the Board of Trustees shall govern.

Public work to be done by contract.

SEC. 41. In the erection, improvement, and repair of all public buildings and works, in all street and sewer work, and in all work in or about streams, bay, water front, or in or about embankments or other works for protection against overflow, and in furnishing any supplies or materials for the same, when the expenditure required for the same exceeds the sum of two hundred and fifty dollars, the same shall be done by contract and shall be let to the lowest responsible bidder, after notice, by publication in a newspaper of general circulation printed and published in the town, for at least one week. Such notice shall distinctly and specifically state the work contemplated to be done; *provided*, that the Board of Trustees may reject any and all bids presented, and readvertise, in their discretion.

Contracts for printing.

SEC. 42. The Board of Trustees shall, annually, at a stated time, contract for doing all official printing and advertising, which contract shall be let to the lowest responsible bidder, after notice, as provided in the preceding section, and the contract therefor shall be awarded separately from all other printing.

Contracts for lighting.

SEC. 43. No contract for lighting public streets, buildings, places, or offices shall be made for a longer period than two years, nor shall any contract be made to pay for gas, electric lights, or any other illuminating material at a higher rate than charged to any other consumer.

Contracts for water.

SEC. 44. No contract for supplying water for the use of the municipality in any of its departments shall be made wherein the rates exceed those charged to other consumers.

Form of contracts.

SEC. 45. All contracts must be in writing, executed in the name of the Town of Berkeley, and by an officer authorized to make the same.

The form and legality of all contracts shall be submitted to and passed upon by the Town Attorney. Every contract must be countersigned by the Auditor, numbered and registered in a book kept for that purpose.

Nuisances.

SEC. 46. Every act and thing done or being within the limits of the town which is declared by law to be a nuisance, and anything done or being within the limits of the town which shall be, by the Board of Health, reported in writing to the Board of Trustees to be dangerous or detrimental to the health of the neighborhood or community, may be, by resolution or ordinance, declared to be a nuisance, and shall be considered and treated as such in all actions and proceedings whatever, and all remedies which are or may be given by law for the prevention and abatement of nuisances shall apply thereto.

Redistricting the town.

SEC. 47. The Board of Trustees shall, in the year nineteen hundred, and every fifth year thereafter, redistrict the town into seven wards, making the same as nearly equal in population and as geographically compact as possible; but the town shall not be so redistricted within ninety days previous to any municipal election.

Ordinances continued in force.

SEC. 48. All lawful town ordinances and regulations now in force, and not inconsistent with the provisions of this charter, are hereby continued in effect until the same shall be duly amended or repealed.

Publication of ordinances.

SEC. 49. The Board of Trustees shall, during the first year after its organization under this charter, cause all ordinances then in force to be classified under appropriate heads, and shall provide for the publication of the same, together with this charter, in book form.

Every officer of the town shall be entitled to one copy of such ordinances and charter without charge, and every citizen applying for a copy shall be entitled to the same at the cost of publication.

The Board of Trustees shall, every five years after the publication as herein provided, cause all the ordinances at that time in force to be compiled, and shall publish the same subject to the terms and conditions herein expressed.

POWERS OF THE BOARD OF TRUSTEES.

SEC. 50. The Board of Trustees shall have power:

To pass ordinances.

1. To pass ordinances.

To establish a Board of Health.

2. To provide for the organization and maintenance of a Board of Health; to prescribe rules and regulations therefor, and for the appointment or election of members thereof; and to make all such sanitary regulations as may be requisite to promote the public health and comfort.

To hold property.

3. To purchase, lease, or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the town; *provided*, the Board shall not have the power to sell or convey any portion of any water front, but may rent such water front for a term not exceeding ten years; *provided further*, that whenever any street or portion of a street shall be abandoned or closed by resolution or ordinance as provided by law, said Board shall have full power and authority to convey by deed such street or portion of street to the owners of the lands adjacent to such street or portion of street so abandoned or closed, as said Board shall deem that equity requires.

To lay and collect taxes.

4. To lay and collect annually a property tax which shall be apportioned as follows: For the General Fund, not to exceed thirty-five cents on each one hundred dollars; for Street Fund, not exceeding thirty cents on each one hundred dollars; and for School Fund not exceeding thirty cents on each one hundred dollars; *provided*, that the school apportionment shall in no event be less than twenty-five cents on each one hundred dollars; *provided*, that the Board of Trustees shall have power to levy, in addition to said seventy-five cents, any special tax necessary to pay any special indebtedness which may be incurred pursuant to the provisions of this charter.

Tax limit.

The total levy for any one year for all purposes to which such funds are applicable, shall not exceed seventy-five cents on each one hundred dollars of the assessed value of all real and personal property within the Town of Berkeley.

To license businesses.

5. To license for purposes of regulation and revenue all and every kind of business not prohibited by law to be transacted or carried on in the town, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license upon the same, and to provide for the collection of the same by suit or otherwise.

To require a dog license.

6. To impose and collect an annual license not exceeding two dollars on every dog owned or harbored within the limits of the town.

To erect public buildings.

7. To erect and maintain buildings for municipal purposes.

To establish and maintain streets.

8. To establish, build, and repair bridges; to establish, lay out, alter, keep open, open, improve, and repair streets, sidewalks, alleys, squares, and other public highways and places within the town, and to drain, sprinkle, and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, pave, macadamize, gravel, and curb the same in whole or in part, and to construct gutters, culverts, sidewalks, and cross-walks therein, or upon any part thereof; to cause to be planted, set out, and cultivated shade trees therein; and generally to manage and control all such highways and places.

To construct sewers.

9. To establish, construct, and maintain drains and sewers.

To lay or allow water, lighting, and telegraph lines.

10. To lay and to permit, as they may deem proper, the laying of gas or water pipes, or electric conduits in the public streets, and to construct and maintain and to permit the construction and maintenance of telegraph, telephone, or electric light lines therein.

To regulate distribution of water and gas.

11. To regulate the quality, capacity, and location of water and gas pipes, mains, and fire-plugs, and to provide for and regulate the construction and repair of hydrants, fire-plugs, cisterns, pumps, and such other appliances as may be requisite to utilize the distribution of water and gas in the streets, public places, and public buildings.

To grant franchises for street railroads.

12. To grant, under and in pursuance of the general statutes of this State, franchises for the construction of street railroads on and along the streets of the town; *provided*, that in all grants of franchises for street railroads it shall be made a condition that single fares on such roads shall not exceed five cents, and that only such rails shall be

laid down as are of the most approved pattern for street railways operated by horses, cables, or other motors than steam; *provided further*, that it shall be unlawful for the Board of Trustees within ninety days next preceeding the date of holding a general town election, and within seventy days next immediately following such general election, to authorize or pass any ordinance, order, or resolution granting to any person or persons or association of persons or corporation whatsoever any privilege or franchise for the construction, extension, or operation of any street railroad over or upon any part of any street, road, highway, squares, or park within the Town of Berkeley.

Any franchise or privilege granted or attempted to be granted in violation of or contrary to this section shall be absolutely void and of no effect; *provided*, that all applications and bids or proposals for franchises under this section shall be accompanied by a cash deposit of two thousand dollars as a guarantee of the good faith of the applicant or bidder, and as a fund out of which to pay all expenses connected with such application and granting of such franchise. Upon the franchise being awarded all deposits made by unsuccessful bidders shall be returned. The deposit of the successful bidder shall be retained until the full performance by him of the provisions of the franchise to the satisfaction of said Board. And upon such performance the remainder of such deposit, after the payment therefrom of all expenses incurred by the town in connection with the awarding of such franchise, shall be returned; *provided further*, that no franchise for a street railroad shall be granted without containing a provision that all United States mail carriers and officers of the town shall at all times while in the actual discharge of their duties be allowed to ride on the cars of such railroad without paying therefor and with all the rights of other passengers.

To contract for water supply.

13. To contract for supplying the town with water for municipal purposes.

To construct waterworks.

14. To acquire, construct, and keep in repair pumps, aqueducts, reservoirs; to lay water pipes, or do other work necessary for duly supplying the town with water.

To fix water rates.

15. To fix and determine annually the rates of compensation to be collected by any person, company, or corporation in the town for the use of water supplied to the town or the inhabitants thereof, and to prescribe penalties for the violation of all ordinances passed in reference to matters contained in this subdivision.

To provide fire engines.

16. To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishing of fires.

To establish fire limits.

17. To establish fire limits with proper regulations.

To regulate objectionable trades.

18. To regulate the maintenance of powder works, acid works, slaughter houses, wash houses, laundries, tanneries, offensive trades, and all other manufactories, works, and business of every description that may endanger the public safety, health, or comfort, and to restrict the prosecution thereof to such fixed limits as may seem proper, or to exclude such works and business from the town.

To establish a pound.

19. To prevent or regulate the running at large of any animals, to establish a pound, and to authorize the destruction or impounding of any animals running at large.

To appoint policemen and subordinate officers.

20. To appoint and remove such policemen and other subordinate officers, other than the deputies of elective officers, as they may deem proper, and to fix their duties and compensation.

To provide fines and imprisonment.

21. To impose fines, penalties, and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance; to fix the penalty by fine or imprisonment, or both; but no such fine shall exceed three hundred dollars, nor the term of such imprisonment exceed three months.

To cause all persons imprisoned for violation of any ordinance to labor on the streets or other property or works within the town.

To add to the duties of town officers.

22. To prescribe by ordinance, not inconsistent with the provisions of this charter, the additional duties of all town officers, and fix their compensation.

To provide for election of Auditor.

23. To provide by ordinance, when said Board may deem necessary for the election at a general town election, of an Auditor, whose term of office shall be two years, and whose compensation shall be fixed by the Board of Trustees, and whose duties shall be as in this charter prescribed; *provided*, that no Auditor shall be elected prior to the municipal election of the year eighteen hundred and ninety-nine.

To perform other acts.

24. To do and perform any and all other acts and things necessary and proper to carry out the provisions of this charter, and to enact and enforce within the limits of the town all other local, police, sanitary, and other regulations as do not conflict with the general laws.

ARTICLE V.

EXECUTIVE DEPARTMENT.

DUTIES OF THE PRESIDENT OF THE BOARD OF TRUSTEES.

Supervise public officers.

SEC. 51. 1. The President of the Board of Trustees shall vigilantly observe the conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, administration, and disbursement of the public funds and property.

Examine public records.

2. The books, records, and official papers of all departments, Boards, officers, and persons in the employ or service of the town, shall at all times be open to his inspection and examination. He shall take especial care to see that the books and records of said departments, Boards, officers, and persons are kept in a legal and proper form, and any defalcation, or willful neglect of duty or official misconduct which he may discover, or which shall be reported to him, shall be laid by him before the Board of Trustees, Town Attorney, or District Attorney, in order that the public interests shall be protected and the person in default be proceeded against according to law.

Have public records expeted.

3. He shall appoint, subject to the approval of the Board of Trustees, a competent person or persons, expert in matters of bookkeeping and accounts, whose compensation must be fixed before the appointment by the Board of Trustees, to examine the books, records, condition, and affairs of every department, Board, or officer, and report fully thereon, in writing, to the Board of Trustees at least once in every year; and it shall be the duty of the President of the Board to enforce such an examination. Any officer, Board, or person in the employ of the town refusing to submit to or permit such an examination, or purposely delaying or impeding the same, may be removed from office for such conduct, the same as for malfeasance in office.

Supervise public institutions.

4. The President of the Board of Trustees shall have a general supervision over all departments and public institutions of the town, and shall see that they are honestly, economically, and lawfully conducted.

Have ordinances enforced.

5. He shall see that the provisions of the charter and the ordinances of the town are observed and enforced.

Give information to the Board of Trustees.

6. He shall, from time to time, give the Board of Trustees information, in writing, relative to the state of the town, and shall recommend such measures as he may deem beneficial to its interests.

Audit claims.

7. He shall, until the election of an Auditor be had, examine into and audit all claims against the town, be the general auditing officer of the town, keep a proper record of all claims, and report the same at each regular meeting of the Board, with his recommendations thereon.

Count money in the Treasury.

8. The President of the Board of Trustees, the Chairman of the Finance Committee of the same Board, and the Town Clerk shall, at least once in three months, count the cash in the Town Treasury and see that it corresponds with the books of the Treasurer and the Clerk, and report the result of such count to the Board of Trustees.

DUTIES OF THE AUDITOR.

SEC. 52. The Auditor shall act as the general accountant and fiscal agent of the Town of Berkeley, and shall exercise a general superintendence over all the officers of the town charged in any manner with the receipt, collection, or disbursement of the town revenues. He shall keep a complete set of books in which he shall set forth in a plain and business-like manner every money transaction of the town, so as to show at all times the state of each fund, from what source the money was derived, and for what purpose any money was expended, and also all collections made and paid into the treasury by each officer, or any other person. He shall, on application of any person indebted to the town holding money payable into the Town Treasury or desiring to pay money therein, certify to the Town Treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the deposit of the receipt of the Town Treasurer for money paid into the Town Treasury, charge the Town Treasurer with the amount received by him, and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public money at any time in the Town Treasury, not by law or ordinance specifically apportioned and appropriated, and forthwith notify the Town Treasurer of such apportionment or appropriation. He shall countersign and deliver to the proper officer all licenses. He shall report to the Board of Trustees at each regular meeting the condition of each fund in the Town Treasury, and the amount drawn from each fund since the last regular meeting. He

shall make and present a report to the Board of Trustees, at its meeting in the second week of December of each year, showing all financial business transactions of the town for the preceding year, ending the thirtieth day of November last. He shall audit and approve all demands against the town before payment, and keep a record of the same. He shall, on or before the first of August in each year, make and present to the Board of Trustees a report as to the revenue and expenses of the town for the current fiscal year, in which he shall set forth estimates of, first, the revenue from other sources than taxation; second, the itemized expenditures; third, the itemized amounts necessary to be raised by taxation for each fund. He shall perform such other duties as shall be required of him by this charter or by ordinance.

DUTIES OF THE TREASURER.

SEC. 53. It shall be the duty of the Treasurer to receive and safely keep all moneys which shall come into his hands as Town Treasurer, for all of which he shall give duplicate receipts, one of which shall be filed with the Town Clerk. He shall pay out said money on warrants signed by the proper officers, and not otherwise, except interest coupons on bonds. He shall make quarterly settlements with the Town Clerk. He shall be ex officio Tax Collector.

DUTIES OF THE ASSESSOR.

SEC. 54. It shall be the duty of the Assessor, between the first Monday in March and the first Monday in August in each year, to make out a true list of all taxable property within the town. The mode of making out said list, and proceedings relating thereto, shall be in conformity with laws now in force regulating County Assessors, or that may hereafter be enacted, except as the same may be otherwise provided in this charter, or by ordinance. Said list shall describe the property assessed and the value thereof, and shall contain all other matters required to be stated in such lists by County Assessors. The Assessor shall verify said list by his oath, and shall deposit the same with the Town Clerk on or before the first Monday in August in each year. The Assessor and his deputy shall have power to administer all oaths and affirmations that may be necessary in the performance of their duties.

DUTIES OF THE CLERK.

Keep records of the Board of Trustees.

SEC. 55. 1. It shall be the duty of the Clerk to keep a full and true record of all the proceedings of the Board of Trustees and of the Board of Equalization. The proceedings of the Board of Trustees shall be kept in a book, marked "Records of the Board of Trustees." The proceedings of the Board of Equalization shall be kept in a separate book, marked "Records of the Board of Equalization."

Keep a book of "Town Accounts."

2. He shall keep a book, which shall be marked "Town Accounts," in which shall be entered as a credit all moneys received by the town for licenses, the amount of any tax when levied, and all other moneys received, and in which shall be entered upon the debtor side all commissions deducted, and all warrants drawn on the treasury.

Keep a book of "Tax Collector's Account."

3. He shall also keep a book, marked "Tax Collector's Account," in which he shall charge the Tax Collector with all tax lists delivered to him. He shall credit the Tax Collector with the delinquent lists returned by him.

Keep a book of "Treasurer's Account."

4. He shall also keep a book, marked "Treasurer's Account," in which he shall keep a full account of the transactions of the town with the Treasurer.

Keep a book of "Town Licenses."

5. He shall also keep a book, marked "Town Licenses," in which he shall enter all licenses delivered by him to the Marshal, and the amount thereof.

Keep a book of "Sewer Permits."

6. He shall keep a book, marked "Sewer Permits," in which he shall enter all sewer permits delivered by him to the Marshal, and the amount thereof.

Keep a book of "Town Ordinances."

7. He shall also keep a book, marked "Town Ordinances," into which he shall copy all town ordinances, with his certificate annexed to said copy, stating the foregoing ordinance to be a true and correct copy of an ordinance of the town, and giving the number and title of said ordinance, and stating that the same has been published or posted according to law. Said record copy, with said certificate, or the original ordinance, shall be *prima facie* evidence of the contents of the ordinance, and of the due passage and publication of the same, and shall be admissible as such evidence in any Court or proceeding. Said records shall not be filed in any case, but shall be returned to the custody of the Town Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of ordinances in the usual way.

Index foregoing books.

8. Each of the foregoing books, except the records of the Board of Trustees and the Board of Equalization, shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein.

Compute amount of taxes.

9. Upon the completion of the assessment roll for any of the taxes of the town, and levying of the tax thereon, the Town Clerk shall compute and carry out the amount of tax so levied on each parcel of property in said assessment roll contained, and shall deliver it to the Tax Collector. It shall not be necessary to make a duplicate assessment roll. He shall compute all delinquent taxes and penalties therefor and charge the Tax Collector therewith.

Appoint a deputy.

10. He may appoint, subject to the approval of the Board of Trustees, a deputy, for whose acts he and his bondsmen shall be responsible.

Administer oaths.

11. He and his deputy shall have power to administer oaths and affirmations, to take affidavits and depositions to be used in any Court or proceeding in the State, and to certify the same. He and his deputy shall take all necessary affidavits to demands against the town, and certify the same without charge.

Have charge of town archives.

12. He shall have the custody and be responsible for the corporate seal, and all books, papers, records, and archives belonging to the town, not in actual use by other officers, or otherwise by special provision committed to their custody.

Make quarterly statements.

13. He shall make a quarterly statement, in writing, showing receipts and expenditures of the town for the preceding quarter, and the amount remaining in the treasury.

Make annual statements.

14. He shall, at the end of every fiscal year, make a full and detailed statement of the receipts and expenditures of the preceding year, and a full statement of the financial condition of the affairs of the town, which shall be published; which statement shall also contain a complete list of all the paid officials of the town, with the amounts of their several compensations.

Act as Clerk of Board of Education.

15. He shall ex officio act as Clerk of the Board of Education.

Perform other duties.

16. He shall perform such other services as this charter and the ordinances of the Board of Trustees shall require.

DUTIES OF THE ATTORNEY.

SEC. 56. It shall be the duty of the Town Attorney to advise the town authorities and officers in all legal matters pertaining to the business of the town, and to render such other services in the line of his profession as may be required of him by the Board of Trustees.

DUTIES OF THE MARSHAL.

Have charge of the town police.

SEC. 57. 1. The department of police of the town shall be under the direction and control of the Marshal; and for the suppression of any riot, public tumult, disturbance of the peace, or resistance against the laws or public authorities in the lawful exercise of their functions, he shall have the powers that are now or may hereafter be conferred upon Sheriffs by the laws of the State, and shall, in all respects, be entitled to the same protection; and his lawful orders shall be promptly executed by deputies, police officers, and watchmen in the town, and every citizen shall also lend him aid when required for the arrest of offenders and the maintenance of public order.

Have powers and duties of Constable.

2. He shall and is hereby authorized to execute and return all process issued and directed to him by any legal authority, and shall have the same power and duties in all civil and criminal cases within the limits of the town as Constables have within the respective townships for which they are elected, and shall be entitled to the same fee.

Pay Treasurer moneys collected.

3. He shall, at the expiration of each month, pay to the Town Treasurer all funds of the town collected by him, or his deputies, during said month. He shall, upon the payment of the money, file with the Treasurer an affidavit stating that the money so paid is all the funds he has collected or received during the preceding month.

Have charge of town prisons.

4. He shall have charge of the town prison and prisoners, and of any chaingang that may be established by the Board of Trustees.

Appoint deputies and additional policemen.

5. He may appoint, subject to the approval of the Board of Trustees, one or more deputies, for whose acts he and his bondsmen shall be responsible. He may also, with the concurrence of the President of the Board of Trustees, when the same may be by them deemed necessary for the preservation of public order, appoint additional policemen, who shall discharge the duties assigned them for one day only.

Ex officio License Collector.

6. He shall be ex officio License Collector.

Perform other duties.

7. He shall perform such other services as this charter and the ordinances of the Board of Trustees shall require.

DUTIES OF THE TAX COLLECTOR.

SEC. 58. The Tax Collector shall collect all taxes levied by the Board of Trustees, except as herein provided. He shall, at the expiration of each month, pay to the Town Treasurer all taxes and other funds of the town collected by him during said month. He shall, upon the receipt of any tax list, give his receipt for the same to the Town Clerk, and shall, upon depositing with the Town Clerk the delinquent tax list, take his receipt therefor. He shall keep proper books, showing all moneys collected by him as Tax Collector, and also a book which shall contain a record of every deed given by or on behalf of the town for real estate sold for delinquent taxes or assessments, which book shall be properly indexed, and shall be at all suitable times subject to public inspection. He shall perform such other duties as may be required of him by law or by ordinance of the town.

DUTIES OF THE SUPERINTENDENT OF STREETS.

SEC. 59. The Superintendent of Streets shall have the general care of and frequently inspect the streets of the town. He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street construction. He shall frequently inspect all public works pertaining to street improvements while the same are in course of construction, inspect and approve or reject all material used in such construction, whether done under contract or otherwise, and shall at once report to the Board of Trustees, in writing, all deviations from contracts and use of improper material and bad workmanship in such works; and shall have power, pending investigation, to stop all work thereon. He shall perform such other duties as are herein elsewhere prescribed or as may be imposed by ordinance.

DUTIES OF THE ENGINEER.

SEC. 60. 1. It shall be the duty of the Engineer to make all surveys, inspections, and estimates required by the Board of Trustees.

2. He shall examine all public work done under contract and report thereon in writing to the Board of Trustees.

3. He shall, on application of any person owning or interested in real property in the town for a survey or plat of such property, make and deliver the same upon the payment of his fee therefor.

4. He shall be the custodian of and responsible for all maps, plats, profiles, field notes, and other records and memoranda belonging to the town pertaining to his office, and the work thereof; all of which he shall keep in proper order and condition, with a full index thereof, and all of which he shall turn over to his successor.

5. All maps, plats, profiles, field notes, estimates, and other memoranda or surveys, and other professional work, made or done by him, or under his direction or control during his term of office for the town, shall be the property of the town.

6. He shall perform such other duties as are prescribed by this charter or as may be imposed by ordinance.

ARTICLE VI.

SCHOOL DEPARTMENT.

Board of Education.

SEC. 61. The government of the School Department of the town shall be vested in a Board of Education, to consist of seven members, to be called School Directors.

Qualifications of School Directors.

SEC. 62. From each of the seven wards of the town there shall be elected by the qualified electors of the ward he is to represent, one member of the Board of Education, who shall have been at the time of his election a qualified voter within the boundaries of the town as heretofore described for a period of not less than three years, and a resident of the ward from which he is elected for a period of not less than six months. If a School Director shall, during the term of his office, cease to be a resident of the town, his office shall by reason thereof be declared vacant.

Vacancies.

SEC. 63. In case a vacancy should occur in the office of School Director, the Board of Education shall choose a person to fill such vacancy, who shall serve until the next election, when, if the term does not then expire, a person shall be elected to serve for the remainder of such unexpired term.

Meetings.

SEC. 64. The Board of Education shall meet on the first Monday after the election of its members shall have been officially declared, and at such other times as may be designated by resolution in the place provided for them by the Board of Trustees. Special meetings may be called by the President of the Board or four members of the Board uniting in a call. All meetings of the Board shall be public.

Quorum.

SEC. 65. Four members of the Board shall be a quorum, and the affirmative vote of four members shall be necessary to pass any measure, but a less number than four may adjourn from day to day and compel the attendance of absent members, in such manner as the Board may prescribe.

President.

SEC. 66. The Board of Education shall annually elect a President from its own members, who may be removed by an affirmative vote of not less than five members of the Board. The member so chosen as President of the Board shall have no other than his vote as School Director.

Clerk.

SEC. 67. The Town Clerk shall be ex officio Clerk of the Board of Education, and shall receive such compensation as said Board may from time to time determine. It shall be the duty of the Clerk to keep a full and true record of all the proceedings of the Board of Education. He shall make a quarterly statement, in writing, showing the income and expenditures of the Board for the preceding quarter, and such other statements as the Board may from time to time require.

Attorney.

SEC. 68. The Town Attorney shall be the attorney of the Board of Education.

Board may sue and be sued.

SEC. 69. The Board of Education may sue and be sued by their name of office. In any action or judicial proceeding against said Board, service of process upon the President, or upon a majority of the members of the Board, shall be sufficient to give the Court jurisdiction to hear and determine the same.

Administering oaths.

SEC. 70. The President of the Board of Education shall have power to administer oaths and affirmations concerning any demand upon the Treasury payable out of the School Fund, and in all other matters relating to the duties of the Board of Education, and to witnesses examined in any investigation had by such Board of Education, or by a committee thereof duly appointed by it for that purpose.

Attendance of witnesses.

SEC. 71. The President may issue subpoenas under his hand and the seal of the town, attested by the Town Clerk, to compel the attendance of witnesses before the Board of Education, or committee thereof, who shall be entitled to the same fees as witnesses in civil cases, and who may be punished for contempt for non-attendance, or refusal to be sworn, or to answer, by the Superior Court of the county in which the town is situated.

School warrants.

SEC. 72. Every claim payable out of the School Fund shall be filed with the Clerk of the Board of Education, and after it shall have been approved by the Board a certificate of such approval shall be indorsed thereon, signed by the President and Clerk, and a warrant upon the School Fund shall be issued thereon for the payment of such claim; which warrant shall be signed by the President of such Board, and countersigned by the Clerk, and shall specify for what purpose the same is drawn.

Mode of receiving county moneys.

SEC. 73. Unless otherwise provided by law, all moneys received by the Treasurer of the county wherein the town is situated, on account of the School Fund of the town, and all sums received into the County Treasury which may be apportioned to the town, shall be paid to the Town Treasurer by the County Treasurer as soon as received, or as soon as the apportionment shall be made, when apportionment is necessary, upon the order of the Board of Education.

Use of State school moneys.

SEC. 74. The entire revenue derived by the town from the State School Fund and the State school tax shall be applied by the Board of Education exclusively to the support of primary and grammar schools.

POWERS OF THE BOARD OF EDUCATION.

SEC. 75. The Board of Education shall have power:

To establish schools.

1. To establish and maintain public schools, including high schools and kindergartens, and to change, consolidate, and discontinue the same.

To employ teachers and other officers.

2. To employ and dismiss teachers, janitors, truant officers, and School Census Marshals, and to fix, alter, allow, and order paid their salaries or compensations, and to employ and pay such mechanics and laborers as may be necessary to carry into effect the powers hereby conferred.

To make rules for the schools.

3. To make, establish, and enforce all necessary or proper rules and regulations, not in conflict with the laws of this State, for the government and management of public schools within the town, the teachers thereof, and the pupils therein, and for carrying into effect the laws relating to education.

To regulate courses of study.

4. To establish and regulate the grades of schools in the town, and the mode of instruction to be pursued therein, and determine what text-books shall be used, and to fix courses of study, including preparation for entrance to the University of California.

To regulate admission of pupils.

5. To prohibit any children under six years of age from attending the public schools, except that in the kindergarten younger children may be received.

To regulate admission of non-resident and adult pupils.

6. To admit non-resident children and persons over twenty-one years of age to any of the departments of the schools of the town, upon the payment monthly, in advance, of such tuition fee as the Board may establish.

To provide school supplies.

7. To provide for the school department of the town fuel and light, water, printing, and stationery, and to incur such other incidental expenses as may be deemed necessary by the Board.

To provide school houses.

8. To build, alter, repair, rent, and provide school houses, and to furnish the same with proper school furniture, apparatus, and appliances, and to insure any and all school property.

To hold property.

9. To purchase, receive, lease, and hold in fee, in trust for such town, any and all real estate and personal property that may have been acquired, or may hereafter be acquired, for the use and benefit of the schools of the town; *provided*, that no real estate shall be bought, sold, or exchanged, nor any expenditure incurred for the construction of new school houses, without the approval of the Board of Trustees; *and provided further*, that the proceeds of any such sale or exchange of real estate shall be exclusively applied to the purchase of other lots, and for the erecting of school houses thereon.

To improve school lots.

10. To grade, fence, and improve all school lots.

To make annual estimates of expenses; tax limit.

11. To determine annually the amount of money required for the support of the public schools, and for carrying into effect all the provisions of law in reference thereto; and in pursuance of this provision the Board of Education shall, at least ten days before the meeting of the Board of Trustees at which the annual town taxes are levied, submit in writing to the Board of Trustees a careful estimate of the whole amount of money to be received from the State and county, and of the amount to be required from the town for the above mentioned purposes; and the amount so found to be required from the town shall, by the Board of Trustees, be added to the above amounts to be assessed and collected for town purposes, and when collected the proceeds thereof shall be immediately paid into the School Fund of the town, to be drawn out only upon the order of the Board of Education; *provided*, that such annual tax shall not exceed thirty cents on each one hundred dollars of the assessed valuation of the real and personal property within the town.

To regulate disbursements of money.

12. To establish regulations for the just and equal disbursement of all moneys belonging to the School Fund.

To discharge legal incumbrances.

13. To discharge all legal incumbrances existing at the time of the adoption of this charter, or thereafter, on any school property within the town.

To perform other acts.

14. To do and perform, in addition to the foregoing powers, such other acts as may be necessary or proper to carry into effect the powers hereby conferred, and to increase the efficiency of the public schools of the town.

ARTICLE VII.

JUDICIAL DEPARTMENT.

The judicial power.

SEC. 76. The judicial power of the town shall be vested in two Justices' Courts and such other Courts as may be provided by law.

Election and term of Justices.

SEC. 77. Two Justices of the Peace shall be elected at the time that other Justices are elected, whose terms of office shall be two years; *provided*, that the two Justices elected for the Town of Berkeley at the general election held November sixth, eighteen hundred and ninety-four, shall hold office as Justices of the Town of Berkeley until the first Monday in January, eighteen hundred and ninety-seven. The Justices' Courts shall always be open, legal holidays excepted.

Jurisdiction of the Justices' Courts.

SEC. 78. The Justice's Court and the Justices thereof shall have jurisdiction, concurrently with other Justices' Courts, of all actions and proceedings, civil and criminal, arising within the corporate limits of the town and which might be tried in a Justice's Court; *provided, however*, that within the corporate limits of the town, the Town

Justices of the Peace and Town Justices' Courts shall have exclusive jurisdiction and power over all actions for the recovery of any fine, penalty, or forfeiture prescribed for the breach of any ordinance of the town, of all actions founded upon any obligations or liability created by any ordinance, and of all prosecutions for any violation of any ordinance; *provided, moreover*, that the Board of Trustees may by ordinance select both or either of said Justices to have jurisdiction of all criminal prosecutions arising under ordinance.

Rules for proceeding.

SEC. 79. The rules of practice and mode of proceeding shall be the same as are or may hereafter be prescribed for Justices' Courts.

Fees of Justices.

SEC. 80. The Justices of the Peace shall be entitled to charge and receive for their services such fees as are or may be allowed by law to Justices of the Peace for like services, and to collect said fees in the same manner as other Justices' fees are collected, excepting that for their services in criminal prosecution for violation of ordinances they shall be entitled to receive only such fees or salary as the Board of Trustees may by ordinance prescribe, which compensation when once fixed shall not be altered within two years thereafter.

Justices to render account of fines and fees.

SEC. 81. Each Justice of the Peace shall pay to the Treasurer of said town on the first Monday of each month all fines by him collected for violation of ordinances, and file a full monthly report with the Town Clerk, showing the amount of all fees collected, from whom, and in what case such fines and fees were collected and paid.

Compensation of Justices may be fixed by the Board of Trustees.

SEC. 82. The Board of Trustees may, at their option, by ordinance, fix a monthly compensation for such Justices, which said compensation shall be in full for all services rendered as Justices; *provided*, that when such monthly compensation is so fixed all fees and fines, other than those required by law to be paid to the county, shall be paid to the Town Treasurer.

Disqualification of Justices.

SEC. 83. In all cases where for any reason either of the Justices is disqualified, or in any case of sickness or inability to act, he may call in the other Justice, and, if both are disqualified or unable to act, any Justice of the Peace residing in the county.

ARTICLE VIII.

AMENDMENTS.

SEC. 84. This charter may be amended at any time in the manner provided in the Constitution of this State.

Whereas, the Town of Berkeley, a city containing a population of more than ten thousand and less than one hundred thousand inhabitants, on the sixth day of November, eighteen hundred and ninety-four, at a general election, and under and in accordance with the provisions of section eight, article eleven, of the Constitution of the State of California, did elect William Carey Jones, O. G. Dornin, C. Engebretsen, John Finn, John McCarthy, George D. Metcalf, Reuben Rickard, George Schmidt, B. E. Underwood, W. K. Weir, H. L. Whitney, Charles T. Wilkinson, E. J. Wickson, D. H. Bruns, and M. L. Hanscom, a Board of Fifteen Freeholders to prepare and propose a charter for said city; be it known, in pursuance of said provision of the Constitution, and within a period of ninety days after such election, said Board of Fifteen Freeholders has prepared and does propose the foregoing, consisting of eight articles and eighty-four sections, signed by us in duplicate, as and for the charter of the said Town of Berkeley.

In witness whereof, we have hereunto set our hands and seals this twenty-ninth day of December, Anno Domini eighteen hundred and ninety-four. Done in duplicate.

WM. CAREY JONES, President.
GEO. D. METCALF.
REUBEN RICKARD.
H. L. WHITNEY.
JOHN FINN.
JOHN MCCARTHY.
B. E. UNDERWOOD.
W. K. WEIR.
C. ENGBRETSEN.
E. J. WICKSON.

Attest: M. L. HANSCOM, Secretary.

NOW, THEREFORE, BE IT

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for and concurring herein). That said charter be and the same is hereby approved as a whole, for and as the charter of said Town of Berkeley.

Resolution read.

The roll was called, and Senate Concurrent Resolution No. 8 was adopted by the following vote:

AYES—Senators Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—25.
NOES—None.

On motion of Senator Earl, Senate Concurrent Resolution No. 8 was immediately transmitted to the Assembly.

On motion of Senator Hart, Senate Bill No. 489—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street, from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor—was ordered placed on the special file.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Substitute for Senate Bill Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

The bill having been read the third time on a previous day, the roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—28.
NOES—None.

Title read and approved.

SECOND READING OF BILL.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

On motion of Senator Mathews, Assembly Bill No. 681 was reset as a special order for Monday next, at two o'clock p. m.

RECONSIDERATION.

Senator Ford, in compliance with his notice given yesterday, moved a reconsideration of the vote whereby Senate Concurrent Resolution No. 10 was on yesterday adopted.

The question being put, Senator Ford moved that further consideration of the motion to reconsider be made a special order for Tuesday next, immediately after the reading of the Journal.

The ayes and noes were demanded by Senators Voorheis, Dunn, and Withington.

The roll was called, and the motion carried by the following vote:

AYES—Senators Androus, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Toner, and Whitehurst—22.
NOES—Senators Dunn, Simpson, Voorheis, and Withington—4.

On motion of Senator Voorheis, Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—was set as a special order for consideration at two o'clock p. m. this day.

PETITION.

The following petition was presented by Senator Fay, and ordered printed in the Journal:

PROTEST.

Against the adoption of the Langford resolution, asking Congress to cede Goat Island to the State for terminal purposes.

The undersigned, on behalf of the citizens of Oakland and San Francisco, hereby earnestly protest against the passage of the joint resolution introduced by Senator Langford, asking Congress to cede Goat Island to the State for use as a general railroad terminal, for the following reasons:

First—That the obstruction to the tidal flow caused by the building of a wharf, bridge, or causeway from Oakland to the Island, a distance of three miles, would have the effect of shoaling the navigable waters of the bay in front of Oakland for the whole distance of said bridge, obstruct the free navigation of the bay on the east of Goat Island, and ultimately produce long mud flats.

Second—Said obstruction to the tidal currents on the east of Goat Island would, in time, have the effect of turning the entire force of the current between San Francisco and the island into a channel less than one and one half miles wide, instead of having four and one half miles of an outlet. The current would be so strong that no ships could lay at the wharves in front of the city of San Francisco; in fact, the wharves would in time be destroyed by the velocity of the tides.

Third—There is no scarcity of land on either side of the bay for terminal purposes. The Southern Pacific Railroad has lands in Mission Bay they do not use.

Fourth—If Goat Island was given for terminal purposes, they would monopolize the whole warehousing system of the State.

Fifth—No advantages would be gained by the traveling public, as it would only shorten the distance by ferry by one and one half miles from what it is at present.

Sixth—Goat Island is required by the United States authorities and should be fortified in order to protect Oakland, Alameda, and San Francisco on the east; as in case of war, should iron-clads succeed in passing the outer batteries, Goat Island is the only protection we would have.

ADOLPH SUTRO, Mayor of San Francisco.
GEORGE C. PARDEE, Mayor of Oakland.

REPORTS OF STANDING COMMITTEES.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 811—An Act to provide for the improvement and protection of streets, avenues, lanes, alleys, courts, and places, and for the construction of sewers within municipalities, and to establish and regulate grades therein.

Also: Senate Bill No. 809—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 515—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 695—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, by adding a new section thereto, to be designated as section twenty-four and one half, authorizing the widening of two or more streets, squares, lanes, alleys, courts, or places, in one proceeding, in certain cases—have had the same under consideration, and respectfully report the same back without recommendation.

SIMPSON, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 830—An Act to provide for the establishment of a Board of Examiners for the "California State Therapeutic Society"—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education and Public Morals.

MCGOWAN, Chairman.

On motion of Senator McGowan, Senate Bill No. 753 was made a special order for consideration on Monday next, at three o'clock and thirty minutes P. M., to follow other special orders set for that hour.

Senate Bill No. 830 referred to Committee on Education and Public Morals.

Senator Toner moved that the Senate proceed to read Senate Bill No. 852 the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Read first time, and on motion of Senator Toner its further consideration was set as a special order for Monday next, at three o'clock and thirty minutes P. M.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Bill No. 786—An Act to amend chapter twenty-nine, section one, of an Act approved March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses.

Also: Senate Bill No. 825—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-sixth fiscal year.

Also: Senate Bill No. 582—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and making an appropriation therefor.

Also: Senate Bill No. 583—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store-room for same, and making an appropriation therefor.

Also: Senate Bill No. 660—An Act to provide for payment of a deficiency in the appropriation for aid to State Agricultural Society for the forty-sixth fiscal year.

Also: Senate Bill No. 717—An Act to make an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Lone.

Also: Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Also: Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Senate Bill No. 591—An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation," approved March 24, 1893.

Also: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Also: Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young, for architect's fees for erection and construction of power and electric plant at the Whittier School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Concurrent Resolution No. 16—Relative to the presentation of the portrait of Hon. Newton Booth—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction.

Also: Senate Bill No. 236—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Also: Senate Bill No. 237—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 238—An Act appropriating money for the use of the two State forestry stations at Chico and at Santa Monica.

Also: Senate Bill No. 393—An Act to make an appropriation to pay the claim of Alice Lampson Dodge, for services rendered by her assignors as members of the Constitutional Convention during the years 1878 and 1879.

Also: Senate Bill No. 644—An Act fixing a bounty on rabbit scalps, and making an appropriation of money therefor.

Also: Senate Bill No. 844—An Act to provide payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 138—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 568—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as Secretary, instructor, and silk expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute, as amended, be adopted.

Also: Senate Bill No. 140—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that the amendments of the Public Buildings Committee be not adopted, and that it do pass as amended by the Finance Committee.

VOORHEIS, Chairman.

Senator Mathews was given unanimous consent to make the following substitution on file and withdrawals:

Substitute Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks—number four hundred and five on file, for Senate Bill

No. 301—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years—number one hundred and forty-two on file.

Senate Bill No. 301 withdrawn.

Also: Substitute Senate Bill No. 295—An Act to provide for holding an annual exhibition in Southern California, to be known as the "Southern California State Fair"—number two hundred and seventy-nine on file, for Senate Bill No. 361—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials—number one hundred and forty-five on file.

Senate Bill No. 361 withdrawn.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth of February, passed Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Also: Amended, and passed as amended, Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, has receded from its amendments to Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of February, passed Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Also: Assembly Bill No. 15—An Act to amend section six of an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants.'"

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 75 and 529 ordered to enrollment.

On motion of Senator McGowan, action on Senate Bill No. 46 was temporarily postponed.

Assembly Bill No. 15 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 695 referred to Committee on Public and Swamp and Overflowed Lands.

SPECIAL FILE.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed on file.

Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Passed on file.

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Passed on file.

PASSAGE OF BILLS.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

The bill having been read a third time on a previous day, the roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—23.

NOES—None.

Title read and approved.

Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

The bill having been read a third time on a previous day, the roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Linder, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

THIRD READING OF BILLS.

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Senators Androus, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.
NOES—None.

Title read and approved.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Senator Hart moved that Senator Voorheis be appointed a special committee of one to amend as follows:

Amend section one, line four, by inserting after the words "for the" the words "forty-third and."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 631, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Report of committee of one and amendment adopted.

Senator Hart moved that Senator Voorheis be appointed a special committee of one to amend as follows:

Amend section one, line four, by striking out the word "year" and substituting in lieu thereof the word "years."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 631, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Report of committee of one and amendment adopted.

Senator Hart moved that Senator Voorheis be appointed a special committee of one to amend as follows:

By striking out of the title the word "year" and inserting in lieu thereof the word "years."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 631, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Report of committee of one and amendment adopted.

Senator Hart moved that Senator Voorheis be appointed a special committee of one to amend as follows:

By inserting in the title after the words "for the," the words "forty-third and."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 631, with instructions to amend, respectfully reports the same back amended, as per instructions.

VOORHEIS, Committee.

Report of committee of one and amendment adopted.

Bill read third time, ordered to print and reëngrossment as amended, and on file for passage.

Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Passed on file.

SECOND READING OF BILL.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

During the second reading of the bill, the following amendment by committee was read:

Amend section one by inserting after the words "Board of Military Auditors," the words "and the State Board of Examiners."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

Senator Withington moved that Senate Bill No. 807—An Act to establish a uniform system of county and township governments—be made a special order for Tuesday next, to follow Senate Bill No. 465; and that Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers—be placed on the special urgency file.

So ordered.

FIRST READING OF BILLS.

The following bills were read the first time:

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Senate Bill No. 788—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Senate Bill No. 725—An Act making an appropriation to pay the

deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Senate Bill No. 792—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Senate Bill No. 428—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Senate Bill No. 617—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Senate Bill No. 838—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three

thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes.

Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Rail-

road Commissioners of the State of California, as shorthand reporter, for the years 1890, 1892, and 1893.

Senate Bill No. 672—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Senate Bill No. 27—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Senate Bill No. 674—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

The following were passed on file:

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to "Judicial Department."

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to article nine of the Constitution, section six, relative to the public school system.

Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section three, article twelve, of the Constitution of the State of California, in relation to corporations.

Senate Constitutional Amendment No. 22—Resolution proposing to the people of the State of California an amendment to section thirteen of article one of the Constitution of the State of California.

Senate Constitutional Amendment No. 25—Proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

SECOND READING OF BILLS.

Senate Bill No. 778—An Act to amend an Act entitled "An Act to provide for the removal of the mineral cabinet from the State Library," approved March 9, 1887.

Read second time, ordered engrossed, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 473—An Act to appropriate money for the use of the Home for Feeble-Minded and Idiotic Children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

Senator Holloway moved that Senate Bill No. 473—An Act to appropriate money for the use of the Home for Feeble-Minded and Idiotic Children—be read first time.

So ordered.

Senate Bill No. 473 read first time.

SECOND READING OF BILL.

Senate Bill No. 254—An Act to provide for the purchase of a portrait of ex-Governor Markham by the Secretary of State, and to appropriate money therefor.

During the second reading of the bill, the following amendments, suggested by Committee on Finance, were submitted:

Amend by striking out of section one, line three, the words "one thousand," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section two, line one, the words "one thousand," and inserting the following: "five hundred."

Adopted.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

THIRD READING OF BILLS.

Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Read third time, and passed by the following vote:

AYES—Senators Androus, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Toñer, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

Senate Bill No. 213—An Act to provide for certain improvements and repairs at Folsom State Prison, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Senators Androus, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mitchell, Pedlar, Seawell, Seymour, Shine, Toner, Voorheis, and Whitehurst—22.

NOES—None.

Title read and approved.

Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read third time, and passed by the following vote:

AYES—Senators Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mitchell, Pedlar, Seawell, Seymour, Toner, Voorheis, Whitehurst, and Withington—22.

NOES—None.

Title read and approved.

Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Read third time, and passed by the following vote:

AYES—Senators Androus, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—24.

NOES—None.

Title read and approved.

Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Passed on file.

Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Senator Mathews moved that Senator Franck be appointed a special committee of one to amend as follows:

Strike out after the word "of" in line four, section one, "four thousand," and insert "six thousand five hundred" in lieu thereof.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 105, with instructions to amend, respectfully reports the same back, amended as per instructions.

FRANCK, Committee.

Report of committee of one and amendment adopted.

Bill read third time, ordered printed and reëngrossed as amended, and on file for passage.

LEAVE OF ABSENCE.

Senator Earl was, on motion of Senator Gesford, granted a leave of absence for the remainder of the day.

NOTICE OF RECONSIDERATION.

Senator Voorheis gave notice that on Monday he would move a reconsideration of the vote whereby Senate Bill No. 632 was this day passed.

THIRD READING OF BILLS.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read third time, and passed by the following vote:

AYES—Senators Androus, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, and Whitehurst—23.

NOES—None.

Title read and approved.

Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read third time, and passed by the following vote:

AYES—Senators Androus, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mathews, McGowan, Mitchell, Seymour, Shine, Simpson, Toner, Voorheis, and Whitehurst—21.

NOES—None.

Title read and approved.

Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read third time, and passed by the following vote:

AYES—Senators Androus, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mathews, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—23.

NOES—None.

Title read and approved.

Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Read third time, and passed by the following vote:

AYES—Senators Androus, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Whitehurst—24.

NOES—None.

Title read and approved.

Senate Bill No. 14—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

RECESS.

At twelve o'clock M. a recess was declared until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names :

Senators Androus, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDERS—ASSEMBLY BILLS.

Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

The bill having been read a third time on a previous day, the roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

On motion of Senator Voorheis, Assembly Bill No. 617 was immediately transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 24—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Also: Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Also: Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Also: Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Also: Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Have had the same under consideration, and respectfully report the same back as correctly enrolled and delivered to the Governor.

SMITH, Chairman.

SPECIAL ORDERS—ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed on file.

Assembly Constitutional Amendment No. 19—Proposed amendment

to article three, section seven of the Constitution, relative to corporations.

Passed on file.

FINAL PASSAGE.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

The bill having been read the third time on a previous day, the roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Earl, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Martin, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—21.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read second time, and ordered on file for third reading.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Read third time, and on motion of Senator Dunn, further consideration was postponed until a later day.

Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Read third time, and finally passed by the following vote:

AYES—Senators Androus, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—21.

NOES—None.

Title read and approved.

Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read third time, and refused final passage by the following vote:

AYES—Senators Androus, Fay, Flint, Franck, Gleaves, Hart, Holloway, Martin, McGowan, Orr, Pedlar, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—17.

NOES—Senators Earl, Ford, Gesford, Hoyt, Seawell, and Seymour—6.

NOTICE OF RECONSIDERATION.

Senator Ford gave notice that on Monday he would move a reconsideration of the vote whereby Assembly Bill No. 50 was this day refused final passage.

The following were passed on file:

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River, and other inland waters of the State.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

SECOND READING OF BILLS.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Read second time, and ordered on file for third reading.

Hon. Frank McGowan, Senator from the First District, in the chair.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Read second time, and ordered on file for third reading.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Assembly Constitutional Amendment No. 6—To section seven of article one of the Constitution, relative to juries.

Passed on file.

Senator Ford moved that Senate Bills Nos. 61, 62, and 721 be taken up and read second time.

So ordered.

SECOND READING OF BILLS.

The following bills were read second time:

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and

located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Ordered to engrossment.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Ordered to engrossment.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Ordered to engrossment.

Senator Ford moved that the further consideration of Senate Bills Nos. 60, 61, and 62 be made a special order for next Tuesday, at three o'clock and thirty minutes P. M., to follow the special orders already set.

So ordered.

Senate Bill No. 721 ordered to engrossment and made a special order, on motion of Senator Earl, for consideration on Monday next, at four o'clock P. M.

Senator Earl moved that Assembly messages be taken up.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 8—Relative to the charter of the town of Berkeley, Alameda County.

S. J. DUCKWORTH, Chief Clerk.

Senate Concurrent Resolution No. 8 ordered to enrollment.

On motion of Senator Orr, Senate Bills Nos. 333, 334, and 402 were taken from the file for second reading.

SECOND READING OF BILLS.

Senate Bill No. 333—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 334—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Read second time, ordered engrossed, and on motion of Senator Orr, was made a special order for consideration on Monday next, at three o'clock and thirty minutes P. M.

Senator Withington moved that Senate Bills Nos. 202, 353, 293, 689, 411, 510, and 765 be now considered by the Senate.
So ordered.

SECOND READING OF BILLS.

Senate Bill No. 202—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter.

During the second reading, the following committee amendments were read:

Amend by striking out of the enacting clause all after the word "California," and inserting in lieu thereof the following: "represented in Senate and Assembly do enact as follows."

Adopted.

Also: Amend by striking out of section one, line six, printed bill, the word "fifths," and inserting the word "fourths."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 353—An Act to appropriate the sum of three hundred dollars, to pay the claim of A. L. Wood for the capture of Francisco Torres.

Read second time, ordered engrossed, and on motion of Senator Withington, ordered placed on special file.

FIRST READING OF BILLS.

Senate Bill No. 293—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Read first time.

Senate Bill No. 689—An Act requiring the recording of maps of cities, towns, etc.

Read first time.

Senate Bill No. 517—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read first time, and ordered placed on special file.

SECOND READING OF BILL.

Senate Bill No. 510—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways.

During the second reading of the bill, the following committee amendments were read:

In line one of the title strike out the word "in" and insert the word "along."

Also: In lines one and two of the title, strike out the words "lanes, streets, alleys, roads or."

Adopted.

In line two, section one of the printed bill, strike out the word "in" and insert the word "along."

Adopted.

Also: In line two strike out the words "lane, alley, road, street or."

Adopted.

Also: Insert the figure "3" after the word "Sec.," in line one of section three.

Adopted.

Bill read second time, and ordered to print and engrossment as amended, and to a third reading.

FIRST READING OF BILL.

Senate Bill No. 765—An Act to promote and encourage ship-building in the State of California.

Read first time.

On motion of Senator Seawell, Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum building and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—was made a special order for Wednesday next, at two o'clock P. M.

Senator Voorheis moved that Senate Bills Nos. 222 and 557 be now considered.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 222—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight, of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State land.

During the second reading of bill, Senator Voorheis moved to amend as follows:

Amend by striking out after the enacting clause the figures and words: "3555. The costs of suits taxed and collected," and inserting the following after the enacting clause: "SEC. 1. Section three thousand five hundred and fifty-five of the Political Code is amended to read as follows."

Adopted.

Bill read second time, ordered engrossed and printed as amended, and on file for third reading.

Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California.

Read second time, ordered engrossed and on file for third reading.

Senator Martin moved that the Senate proceed to consider Senate Bill No. 567.

So ordered.

Senate Bill No. 567—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Read second time, ordered engrossed and on file for third reading.

On motion of Senator Whitehurst, Senate Bill No. 279—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses—was made a special order for Monday next, at three o'clock and thirty minutes P. M.

Senator Gesford moved that Senate Bill No. 53, Senate Bill No. 59, and Senate Bill No. 646 (numbers one hundred and seventy-three, one hundred and seventy-four, and three hundred and twenty-five on file) be taken up and read second time, and made special orders for Wednesday, March 6, 1895, immediately after reading the Journal, to follow any other special orders now set for that time.

So ordered.

Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

During the second reading of the bill, the following amendments, suggested by committee, were read:

Insert between lines fifty-four and fifty-five, printed bill the following: "Section 2. Section three thousand four hundred and sixty-eight of said Code is hereby amended to read as follows."

Adopted.

Also: Strike out all of section two, printed bill.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

During the second reading of the bill, the following amendment, suggested by committee, was read:

Strike out all of section two.

Adopted.

Read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Read second time, and ordered to engrossment and to a third reading.

Senator Aram moved that Senate Bills Nos. 2, 560, and 305 be now considered.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Read second time.

Senator Aram moved the adoption of the following substitute:

An Act to appropriate eleven hundred dollars to pay the claims of D. H. Wyckoff and others for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of eleven hundred dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the claims of D. H. Wyckoff and others that assisted in the capture of the murderers of A. B. Montgomery, in Shasta County, in 1892, as approved by the State Board of Examiners; and the State Board of Examiners is authorized to apportion the said amount herein authorized to the various claimants that assisted in the arrest of the murderers.

SEC. 2. The Controller of State is hereby directed to draw his warrant for the sum of eleven hundred dollars in favor of the Secretary of the State Board of Examiners, and the Treasurer is hereby directed to pay the same.

SEC. 3. This Act shall take effect from and after its passage.

Substitute adopted.

Bill ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and to provide for the government of levee district number two, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 305—An Act to prevent fraudulent or wash sales of goods sold on commission, and to prevent dishonest returns of sales, and to provide a punishment therefor.

During the second reading of the bill, the following amendment, suggested by committee, was read:

In line six of section one of the printed bill, strike out after the word "a" the words "felony, and upon conviction thereof shall be punished by imprisonment in the State Prison for a term not less than one year nor more than five years," and add the word "misdemeanor."

Adopted.

Bill read second time, and ordered to print and engrossment as amended, and to third reading.

Senator Holloway moved that Senate Bill No. 280 be read and ordered placed on special file.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

During the second reading of the bill, the following amendment, suggested by committee, was read:

In line twelve, printed bill insert after the word "same" the words "and be liable upon his official bond therefor."

Adopted.

Bill read second time, and ordered to engrossment and print as amended, and on special file.

Senator Hart moved that Senate Bill No. 489 be read first time and placed on special file, and that Senate Bill No. 67 be also read first time.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 489—An Act authorizing the State Capital Commissioners to improve certain streets in the city of Sacramento to wit: L Street, from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Read first time and ordered on special file.

Senate Bill No. 97—An Act to authorize State agricultural societies under the control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Read first time.

Senator Simpson moved that the Senate proceed to consider Senate Bills No. 223, 343, and 341.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and ledges upon the roofs thereof; also for the eradication of certain weeds within city limits," approved March 11, 1893.

Read second time, and ordered to engrossment, and on motion of Senator Simpson, was made a special order for Wednesday, after reading of Journal.

Senate Bill No. 343—An Act to amend section one thousand four hundred and seventy-six of the Penal Code, relating to the term of judgment against a defendant in cases where fine and imprisonment are directed.

Read second time, and ordered to engrossment and to a third reading.

Hon. Thomas Flint, Jr., President pro tempore of the Senate, in the chair.

Senate Bill No. 341—An Act to amend section two hundred and eighteen of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains.

During the second reading of the bill, the following amendments, suggested by committee, were read:

In line four, section one, printed bill, after the word "California," insert the words "do or perform any other act."

Adopted.

Also: In line five, after the word "train," insert the words "or locomotive."

Adopted.

Also: In line seven, after the word "material," insert the words "or other obstruction."

Adopted.

Also: In line eight, after the word "train," insert the words "or locomotive."

Adopted.

Also: In line nine, after the word "train," insert the words "or locomotive."

Adopted.

Also: In line ten, after the word "train," insert the words "or locomotive."

Adopted.

Bill read second time, and ordered to print and engrossment as amended, and to a third reading.

Senator Hoyt moved that the Senate proceed to consider Senate Bill No. 147.

So ordered.

Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Read second time, and ordered to engrossment and to a third reading.

Senator Fay moved that the Senate proceed to consider Senate Bill No. 406.

So ordered.

Senate Bill No. 406—An Act appropriating money to pay the claim of T. Carl Spelling for legal services.

Read second time, and ordered to engrossment and to a third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 850—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHIPPEE, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 24—Proposing to amend section one of article thirteen of the Constitution, relative to revenue and taxation—have had the same

under consideration, and respectfully report the same back, and recommend that it be referred to the special committee, consisting of the Senate and Assembly Standing Committees on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 7—Proposing an amendment to sections four and five of article thirteen of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the special committee consisting of the Senate and Assembly Standing Committees on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 7—Proposing an amendment to section seven of article six of the Constitution, relative to departments, and providing for additional departments of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Assembly Constitutional Amendment No. 5—Proposing an amendment to section five of article two of the Constitution, relative to elections—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Constitutional Amendment No. 19—Proposing an amendment to article six of the Constitution, relative to the formation of Judicial Departments of this State—have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

MOTION.

Senator Earl moved that the Senate proceed to consider Senate Bill No. 707.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Senator Earl moved to amend as follows:

By inserting in line one, of section one of printed bill, after the word "poppy" the words "Eschscholtzia Californica."

Adopted.

Bill read second time, and ordered to print and engrossment as amended, and to a third reading.

INTRODUCTION OF JOINT RESOLUTION.

By Senator Seymour: Senate Joint Resolution No. 16—Petitioning for an early decision by the United States Supreme Court in the case of Tregga vs. Board of Directors of the Modesto Irrigation District.

Referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock P. M. the Senate, on motion of Senator Ford, adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, March 4, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday last, the further reading was dispensed with, on motion of Senator Gleaves.

APPROVAL OF JOURNAL.

The Journal of Friday, March 1, 1895, was approved.

LEAVE OF ABSENCE.

Senator Mitchell was granted leave of absence for the day, on account of death in his family, on motion of Senator Toner.

Senator Biggy was granted leave of absence for the day, on account of death in his family, on motion of Senator Gesford.

MOTION.

Senator Ford moved that Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions—and Senate Bill No. 284—An Act to create and establish a Permanent Standing Commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said Commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said Commission and Secretary; and to appropriate money therefor—being, respectively, four hundred and eighty-eight and five hundred and thirteen on to-day's special urgency file, be substituted one for the other on file.

So ordered.

RECONSIDERATION OF VOTE.

In compliance with his notice given on a previous day, Senator Voorheis moved that the Senate reconsider the vote whereby Senate Bill No. 632 was passed.

The roll was called, and the motion carried by the following vote:

AYES—Senators Androus, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Orr, Seawell, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—23.

NOES—None.

Senate Bill No. 632—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Senator Voorheis moved that Assembly Bill No. 676 be substituted for Senate Bill No. 632, and be placed on its final passage.

So ordered.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read third time, and on motion of Senator Voorheis, finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gessford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Orr, Seawell, Seymour, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

MOTION.

Senator Voorheis moved that the Committee on Education and Public Morals be instructed to report back on to-morrow Assembly Bill No. 526.

Motion lost.

PETITION.

The following petition was presented by Senator Holloway, and ordered printed in the Journal:

MEMORIAL.

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed:) Mrs. G. A. Storee, Mrs. D. R. Seawell, and one hundred and seventy-four others.

REPORTS OF STANDING COMMITTEES.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 593.—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 15.—An Act to amend section six of an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, 'and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants'"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

MOTION.

On motion of Senator Voorheis, Assembly messages were taken up and read.

ASSEMBLY MESSAGES.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, refused to pass Senate Bill No. 8.—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Also: Refused second reading of Senate Bill No. 325.—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Also: Senate Bill No. 151.—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Also: Senate Bill No. 150.—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, passed Assembly Bill No. 627.—An Act to amend sections three thousand and nine and three thousand and ten and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco.

Also: Assembly Bill No. 900.—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

Also: Assembly Bill No. 114.—An Act to prevent the display of foreign flags on public buildings in this State.

Also: Assembly Bill No. 605.—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 607.—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties and appropriating money therefor.

Also: Senate Bill No. 20.—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Senate Bill No. 121.—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

Also: Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Also: Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Also: Adopted Assembly Joint Resolution No. 9—Joint resolution relative to requesting Congress to so amend the laws granting certain arid lands to the States, and to permit the State of California to reclaim such lands and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University.

S. J. DUCKWORTH, Chief Clerk.

Hon. Orestes Orr, State Senator from the Thirty-fifth District, in the chair.

Assembly Bill No. 627 referred to Committee on Hospitals.

Assembly Bill No. 960 referred to Committee on Roads and Highways.

Assembly Bill No. 114 referred to Committee on Education and Public Morals.

Assembly Bill No. 605 referred to Committee on Finance.

Assembly Joint Resolution No. 9 referred to Committee on Public and Swamp and Overflowed Lands.

Senate Bills Nos. 607, 20, 121, 422, and 347 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1896.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to concur in the Senate amendments to Assembly Bill No. 617—An Act making appropriations for the support of the State government for the forty-seventh and forty-eighth fiscal years—and respectfully asks that your honorable body recede from the same.

S. J. DUCKWORTH, Chief Clerk.

MOTIONS.

Senator Voorheis moved that the Senate do not recede from its amendments to Assembly Bill No. 617.

Motion carried.

Senator Voorheis moved that a Committee on Conference be appointed by the President pro tem. to meet a like committee from the Assembly, to confer in relation to the Senate amendments to Assembly Bill No. 617.

So ordered.

Senator Voorheis moved that the Secretary of the Senate immediately notify the Assembly of the action taken by the Senate on Assembly Bill No. 617.

So ordered.

RESOLUTIONS.

By Senator Hart:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of thirty-five dollars and fifty-eight cents in favor of F. J. Brandon, Secretary of the Senate, for the cost of telegraphing resolution to Congress under order of the Senate, said warrant to be drawn on the fund for the contingent expenses of the Senate.

F. J. BRANDON, *Secretary of Senate, to Pacific Postal Telegraph-Cable Co., Dr.:*

February 25—Telegraphing to Hon. C. F. Crisp, Washington, D. C. \$35 58

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That E. Cowan, having performed the services of Porter to the Sergeant-at-Arms of the Senate, from the commencement of the session, be and he is hereby allowed a per diem of four dollars, payable out of the Contingent Fund of the Senate, from the eighth day of January, 1895.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL FILE—THIRD READING OF BILL.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Read third time.

Senator Gesford moved that Senator Earl be appointed a special committee of one to amend Senate Bill No. 17 as follows:

AMENDMENT No. 1.

Amend section one by inserting between lines twenty and twenty-one, the following: "the State Board of Trade, the Hastings College of the Law, the Medical Department, the College of Dentistry, the College of Pharmacy, and other departments of the University of California conducted in San Francisco."

AMENDMENT No. 2.

Amend by striking out of section six, line eight, the words "monthly out of any money in the State Treasury not otherwise appropriated," and inserting the following: "out of the General Fund."

AMENDMENT No. 3.

Amend section thirteen, line two, by inserting after the words "three hundred," the words "and fifty."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 17, with instructions to amend, respectfully reports the same back, amended as per instructions.

EARL, Committee.

The question being on the adoption of the report of the special committee of one.

Senator Bert moved that the further consideration of Assembly Bill No. 17 be postponed, and made a special order for Wednesday, March 6, 1895, at three o'clock and thirty minutes P. M.

Senator Voorheis moved to amend the motion by adding that said bill be ordered to be printed with proposed amendments.

Amendment accepted by Senator Bert.

The motion as amended was thereupon carried.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read third time.

MOTION.

Senator Withington moved that Senate Bill No. 89 be referred to Senator Earl as a special committee of one, with instructions to amend as follows:

Amend by adding to section ten, line six, the words "but no company shall insure any such property for an amount exceeding seventy-five per cent of its value nor shall any policy permit additional insurance."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 89, with instructions to amend respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Gleaves moved that Senate Bill No. 89 be referred to Senator Earl as a special committee of one, with instructions to amend as follows:

Amend by striking out of section seventeen, lines four and five, the words "but companies organized under this Act shall be exempt from any tax, or the payment of any license."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 89, with instructions to amend as per motion of Senator Gleaves, respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of committee of one and amendment rejected.

Bill ordered printed as amended, and on file for passage.

At eleven o'clock and thirty minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

SECOND READING OF BILL.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

During the second reading of the bill, the following committee amendments were submitted:

After the word "appoint" in section one, strike out "a," and insert the words "an additional."

Adopted.

Also: After the word "clerk" in said section, insert the words "who shall be a stenographer."

Adopted.

Read second time, ordered printed and engrossed as amended, and to a third reading.

SECOND READING OF BILLS.

Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

During the second reading of the bill, the following committee amendment was submitted:

Amend section one, line one, by inserting after the word "appropriated" the following: "from the State School Book Fund."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 788—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 792—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 428—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 617—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Passed on file, on motion of Senator Orr.

Senate Bill No. 838—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred

and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter, for the years 1890, 1892, and 1893.

During the second reading of the bill, the following committee amendments were submitted:

Strike out the words "to make," in first line of the title, and insert in lieu thereof the word "making."

Adopted.

Also: In second line of title strike out the word "to."

Adopted.

Also: In third line of the title strike out the word "years," and all of fourth line of title, and insert therein "forty-second and forty-fourth fiscal years."

Adopted.

Also: Strike out in section one, line one, all after the words "sum of," all of line two, all of line three, and part of line four, to and including the word "dollars," and insert therein "six hundred and seventeen dollars and ten cents."

Adopted.

Also: In line four, section one, strike out the word "from" after the word "appropriated," and insert in lieu thereof the words "out of."

Adopted.

Also: In line five, section one, strike out the words "as approved," after the word "Lombard."

Adopted.

Also: Strike out all of line six, and insert therein, "for services rendered the Board of Railroad Commissioners as shorthand reporter for the forty-second and forty-fourth fiscal years."

Adopted.

Also: Strike out all of lines two and three, section two, after the words "the sum," and insert the words "herein made payable."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The President pro tem. appointed as a Committee of Conference to meet a like committee from the Assembly in reference to Assembly Bill No. 617, Senators Voorheis, Langford, and Orr.

SPECIAL FILE—(RESUMED)—THIRD READING OF BILL.

Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Read third time, and passed by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Franck, Gleaves, Holloway, Hoyt, Linder, Martin, Pedlar, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—21.

NOES—None.

Title read and approved.

FIRST READING OF BILL.

Senate Bill No. 14—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read first time, and ordered on file for second reading.

SECOND READING OF BILLS.

Senate Bill No. 672—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern Cali-

fornia State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 27—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 674—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time, and ordered to engrossment and to a third reading.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Passed on file.

Senate Constitutional Amendment No. 9—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed on file.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Passed on file.

Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed on file.

Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to article nine of the Constitution, section six, relative to the public school system.

Passed on file.

Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section three of article twelve of the Constitution of the State of California, in relation to corporations.

Passed on file.

Senate Constitutional Amendment No. 22—Resolution proposing to the people of the State of California an amendment to section thirteen of article one of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 25—Proposing to the people of the State of California an amendment to section six, article eleven of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 19—To propose an amendment to article six of the Constitution of the State of California, relating to the Judicial Department.

Passed on file.

Senate Bill No. 489—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street, from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

During the second reading of the bill, the following committee amendments were submitted:

Amend by striking out of section one, lines eleven, twelve, and thirteen, the words "also, said State Capitol Commissioners are hereby authorized and empowered to cause to be reconstructed, Tenth Street from the center line of L Street to the center line of N Street."

Adopted.

Also: Amend by striking out of section two, lines one and two, the words "thirty-six thousand six hundred and twenty-six dollars and eighty cents," and inserting the following: "thirty-three thousand and seven dollars and fifty cents."

Adopted.

Also: Amend by striking out of section three, lines one, two, and three, the words "thirty-six thousand six hundred and twenty-six dollars and eighty cents," and inserting the following: "thirty-three thousand and seven dollars and forty cents."

Adopted.

Also: Amend by striking out the title, lines six, seven, and eight, the words "also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 825—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-sixth fiscal year.

Senate Bill No. 582—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and making an appropriation therefor.

Senate Bill No. 583—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store-room for same, and making an appropriation therefor.

Senate Bill No. 660—An Act to provide for payment of a deficiency in the appropriation for aid to State Agricultural Society for the forty-sixth fiscal year.

Senate Bill No. 717—An Act to make an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Ione.

MOTION.

Senator Denison moved that Senate Bill No. 235 be now taken up and read third time and placed on its passage.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

Read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Orr, Seymour, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—24.

NOES—Senator Martin—1.

Title read and approved.

SPECIAL FILE—(RESUMED)—THIRD READING OF BILL.

Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-seventh and forty-eighth fiscal years.

Read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

The bill having been read the second time on a previous day, but left open for further amendments.

Senator Withington moved to amend the bill as follows:

Amend by inserting in section one, after line ten, the words "on filing the petition to contest any will or codicil, three dollars."

Adopted.

Also: Amend by inserting in section one, after line twelve, the words "on placing any action, excepting a probate proceeding or default case, on the calendar for trial or hearing, to be paid by the party at whose request such action or proceeding is so placed, two dollars."

Adopted.

Also: Amend by inserting in section one, after line eighteen, the words "for issuing an execution or order of sale in any action, one dollar."

Adopted.

Also: Amend by striking out of section one, line thirty-nine, the words "three cents," and inserting in lieu thereof "one cent."

AYES AND NOES.

Upon the question of the adoption of the above amendment, the ayes and noes were demanded by Senators McAllister, Denison, and Pedlar.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Androus, Beard, Earl, Fay, Franck, Gleaves, Hart, Holloway, Hoyt, Mathews, McAllister, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—20.

NOES—Senators Denison, Ford, and Martin—3.

Also: Amend by inserting in section one, line seventy-four, after the words "fifteen cents," the following: "where such travel can be made by rail: in other cases, twenty-five cents."

Adopted.

Also: Amend by inserting in section one, after line seventy-nine, the words "for transporting prisoners to the county jail, the actual cost of such transportation."

Adopted.

Also: Amend by inserting in section one, between lines seventy-nine and eighty, following amendment just adopted, the words "for executing and delivering any other instrument, ten cents per folio."

Adopted.

Also: Amend by striking out of section one, line eighty-four, the word "fifteen," and inserting in lieu thereof "twenty."

Adopted.

Also: Amend by striking out of section one, line one hundred and thirty-three, the word "township," and inserting in lieu thereof the word "county."

Adopted.

Also: Amend by striking out of section one, line one hundred and thirty-five, the word "township," and inserting in lieu thereof the word "county."

Adopted.

Also: Amend by striking out of section one, line two hundred and one, the word "fees," and inserting the following in lieu thereof: "per diem."

Adopted.

Bill read second time, ordered to print as amended, and on file for third reading.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed on file, at the request of Senator Ford.

Assembly Constitutional Amendment No. 19—Proposed amendment to article three, section seven, of the Constitution, relative to corporations.

Passed on file, at the request of Senator Bert.

At two o'clock and twenty minutes P. M. Senator Orr was called to the chair.

THIRD READING OF BILL.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Read third time, and finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Fay, Flint, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Orr, Pedlar, Seawell, Simpson, Smith, and Withington—21.

NOES—Senator Mahoney—1.

Title read and approved.

At two o'clock and thirty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

FINAL PASSAGE OF BILL.

Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as fee clerks; prescribing the duties of such clerks, and regulating and providing for their salary.

The bill having been read a third time on a previous day, the question was on its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

At two o'clock and thirty-five minutes P. M. Senator Simpson was called to the chair.

SECOND READING OF BILL.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

During the second reading of the bill, the following committee amendment was submitted:

Amend section one by inserting after the word "transact," in line two of printed bill, the word "fire."

The roll was called, and the amendment adopted by the following vote.

AYES—Senators Aram, Androus, Denison, Dunn, Earl, Franck, Hart, Holloway, Mathews, McGowan, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—18.

NOES—Senators Arms, Beard, Bert, Ford, Gesford, Hoyt, Mahoney, Martin, and Seymour—9.

Bill read second time, ordered printed as amended, and on file for third reading.

Assembly Joint Resolution No. 10 was read as follows:

ASSEMBLY JOINT RESOLUTION No. 10.

Joint resolution relative to the improvement of the Sacramento River and other inland waters of the State.

WHEREAS, The inland navigable waters of the State of California, susceptible to development by reasonable improvement, are so extended in territorial area as to be practically available to fully one half the population of the State; and whereas, Congress has not in the past at any time made appropriations for the improvement of such waters in sums, or at sufficiently frequent intervals, to produce the results so urgently demanded by the people of the State; and believing that if the full scope of the work could be adequately portrayed to the members of the Congressional Committees on River

and Harbor Improvements by an actual inspection thereof by such committees, or a sub-committee thereof, and being informed that Congress hesitates to authorize a personal inspection of such waters by their committee or a sub-committee thereof, on account of the prevailing stringency in the financial affairs of the nation; and believing that by the expenditure of reasonable sums of money in the improvement of the navigable waters of the State, and particularly the Sacramento, Feather, and San Joaquin Rivers, and the bays, straits, and inlets into which they empty, the people of this State directly, and all the people of all the United States indirectly, will be greatly benefited, and the financial stringency be greatly relieved; therefore, be it

Resolved, by the Assembly, the Senate and the Executive, His Excellency James H. Budd, Governor, concurring, That our Representatives and senators in Congress be requested to urge upon Congress the immediate provision of ways and means to enable the committee, or sub-committee from the Committee on River and Harbor Improvements, to visit this State during the coming recess of Congress, for the purpose of personally inspecting the inland navigable waters of the State; and particularly the Sacramento, Feather, and San Joaquin Rivers, and the straits, bays, and inlets into which they flow; and be it further

Resolved, That any boat or vessel, owned or controlled by the State of California, adapted to the purpose, be placed at the disposal of such committee, or sub-committee free of cost; and that all means of transportation at the command of the officers of the State, practicable for the use of such committee in going about the State, be placed at the disposal of such committee; and further

Resolved, That the Governor be requested to immediately forward a copy of these resolutions to each of our Representatives and Senators in Congress.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Atram, Arms, Androus, Beard, Denison, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Seymour, Simpson, Smith, and Voorheis—24.

NOES—Senators Bert, Shippee, and Whitehurst—3.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Joint Resolution No. 10 was this day adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Also: Committee Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Beg leave to report that the same have been correctly engrossed.

SMITH, Chairman.

ASSEMBLY FILE—(RESUMED)—FINAL PASSAGE OF BILL.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Assembly Bill No. 132 having been read the third time on a previous day, the question was on its final passage.

The roll was called, and Assembly Bill No. 132 finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Dunn, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, and Whitehurst—23.

NOES—Senators Denison, Fay, Mahoney, McAllister, and Withington—5.

Title read and approved.

Senator Bert gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 132 was this day finally passed.

LEAVE OF ABSENCE.

At two o'clock and fifty minutes P. M., Senator Orr was granted leave of absence for the remainder of the afternoon.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Passed on file.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Passed on file.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

During the second reading of the bill, the following amendments were offered by Senator Earl:

Amend by inserting after the word "day," in line nineteen, section two, the words "and hour."

Adopted.

Also: Amend section two, line nineteen, by inserting before the word "tenders," the word "sealed."

Adopted.

Bill read second time, ordered to print as amended, and on file for third reading.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Read second time, and ordered on file for third reading.

Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Read second time, and ordered on file for third reading.

Assembly Constitutional Amendment No. 6—Amending section seven of article one of the Constitution, relative to juries.

Passed on file.

FIRST READING OF BILL.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Read first time, and ordered on file for second reading.

Assembly Concurrent Resolution No. 16—Relative to the presentation of the portrait of Governor Booth—was read as follows:

ASSEMBLY CONCURRENT RESOLUTION No. 16.

WHEREAS, Mrs. Octavine C. Booth, widow of the late Newton Booth, ex-Governor of the State of California, has authorized Hon. L. T. Hatfield to present to the state of California, on her behalf, a portrait of Governor Booth; and whereas, the people of the State of California hold the memory of Newton Booth in sacred and high esteem; and whereas, it is desired that such a generous offer may be accepted and the gift installed within the State Capitol; therefore, be it

Resolved by the Assembly, the Senate concurring. That his Excellency Governor James H. Budd, Hon. John C. Lynch, Speaker of the Assembly, and Hon. Thomas Flint, President of the Senate, be and they are hereby authorized to accept such gift on the part of the State, and make proper arrangements in connection therewith, and that such portrait be placed in a suitable position.

The question being on the adoption of Assembly Concurrent Resolution No. 16.

The roll was called, and Assembly Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Earl, Fay, Ford, Franck, Gesford, Hart, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—None.

WITHDRAWAL.

On motion of Senator Smith, Assembly Constitutional Amendment No. 5—Amending section five of article two of the Constitution, relative to elections—was, with the unanimous consent of the Senate, withdrawn, and ordered returned to the Assembly.

LEAVE OF ABSENCE.

At three o'clock and five minutes P. M. Senators Voorheis and Langford were excused for the remainder of the afternoon.

Assembly Constitutional Amendment No. 7—Proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

Passed on file.

At three o'clock and ten minutes P. M. Senator Bert was called to the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 23—Proposing to amend section four

of article six of the Constitution, relative to the Judicial Department—have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

WITHDRAWAL AND SUBSTITUTION.

On motion of Senator Ford, Senate Constitutional Amendment No. 9 was, with the unanimous consent of the Senate, withdrawn, and Senate Constitutional Amendment No. 23 was substituted therefor on the file.

MOTION.

Senator Simpson moved that Assembly Bill No. 15 be taken up and read first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, 'and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants.'"

Read first time, and ordered on second-reading Assembly file.

President pro tem. Hon. Thomas Flint, Jr., in the chair.

Senator Simpson moved that the following special order, namely, consideration of Senate Bill No. 223, be now taken up.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Read third time, and passed by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Dunn, Fay, Flint, Ford, Gesford, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, and Whitehurst—25.

NOES—Senator McGowan—1.

Title read and approved.

MOTION.

Senator Aram moved that Senate Bill No. 763 be substituted on the special file in place of Senate Bill No. 3, withdrawn, and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands, other than swamp and overflowed lands.

Read first time, and ordered on second-reading file.

SPECIAL ORDER—THIRD READING OF BILL.

Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read third time.

MOTION.

Senator Earl moved that Senator Gesford be appointed a special committee of one to amend Substitute for Senate Bills Nos. 4 and 190 as follows:

Amend by adding to section one the following: "West Oakland Sun, one hundred and twenty-five dollars; East Oakland Observer, one hundred and twenty-five dollars."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Substitute for Senate Bills Nos. 4 and 190, with instructions to amend as per motion of Senator Earl, respectfully reports the same back, amended as per instructions.

GESFORD, Committee.

Report of special committee of one and amendment adopted.

MOTION.

Senator Hart moved that Senator McGowan be appointed a special committee of one to amend Substitute for Senate Bills Nos. 4 and 190 as follows:

Strike out the words "one hundred and twenty-five" in line fifty-six of section one, printed bill, and insert in lieu thereof the following: "three hundred."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Substitute for Senate Bills Nos. 4 and 190, with instructions to amend, respectfully reports the same back, amended as per instructions.

McGOWAN, Committee.

Report of special committee of one and amendment refused adoption.

Senator Smith moved that Senator Hart be appointed a special committee of one to amend Substitute for Senate Bills Nos. 4 and 190 as follows:

Strike out of lines forty-five to sixty-five, inclusive, the words "twenty-five," and insert in each line in lieu thereof the word "eighty."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Substitute for Senate Bills Nos. 4 and 190, with instructions to amend, respectfully reports the same back, amended as per instructions.

HART, Committee.

The question being on the adoption of the report of the special committee of one.

The ayes and noes were demanded by Senators Hart, Smith, and McGowan.

The roll was then called on the adoption of the report of the special committee of one, and the same and amendment were refused adoption by the following vote:

AYES—Senators Dunn, Earl, Ford, Gesford, Hart, Mahoney, Martin, McGowan, Pedlar, Shine, Smith, and Withington—12.

NOES—Senators Aram, Androus, Beard, Bert, Denison, Fay, Flint, Franck, Henderson, Holloway, Hoyt, Mathews, McAllister, Seawell, Seymour, Simpson, Toner, and Whitehurst—18.

Substitute for Senate Bills Nos. 4 and 190 ordered to print, as amended, and, on motion of Senator Earl, made a special order for to-morrow, at three o'clock and thirty minutes P. M., to follow special orders already set for said hour.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers, in all municipal corporations of the third and fourth classes in the State of California.

During the second reading of the bill, the following amendment was submitted by Senator Pedlar:

Amend by striking out of section one, lines two, four, and five, the word "shall," and inserting the following: "may."

The question being on the adoption of the amendment offered by Senator Pedlar.

The ayes and noes were demanded by Senators Pedlar, Androus, and Simpson.

The roll was called, and the motion to amend carried by the following vote:

AYES—Senators Androus, Beard, Fay, Ford, Franck, Hoyt, Langford, Mathews, McAllister, Pedlar, Seawell, Seymour, Shine, Toner, Whitehurst, and Withington—16.

NOES—Senators Dunn, Henderson, McGowan, Shippee, Simpson, and Smith—6.

Senator Pedlar moved to amend as follows:

By striking out of section two, line one, the word "shall," and inserting the following: "may."

Adopted.

Bill read second time, ordered to print and reingrossment as amended, and on file for third reading.

SPECIAL ORDERS.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

On motion of Senator McGowan, the consideration of the above special order was postponed and made a special order for to-morrow, at three o'clock P. M.

Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Passed on file.

SECOND READING OF BILL.

Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

During the second reading of the bill, the following committee amendment was submitted:

Amend section one by substituting the following:

SECTION 1. An Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, and percentages, and other compensations for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, is hereby repealed.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Aram, Androus, Flint, Ford, Franck, Hart, Mahoney, Martin, Seymour, Shine, and Toner—11.

NOES—Senators Arms, Beard, Bert, Denison, Dunn, Earl, Fay, Holloway, Mathews, McAllister, Pedlar, Seawell, Shippee, Smith, Whitehurst, and Withington—16.

MOTIONS.

Senator Ford moved to reconsider the vote whereby the above amendment was this day lost.

So ordered.

Senator Ford moved that the further consideration of the motion to reconsider the vote whereby the above committee amendment to Senate Bill No. 852 was this day refused adoption, be postponed and made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Read third time, and passed by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

On motion of Senator Earl, the above special order was postponed and made a special order for to-morrow, immediately after reading of the Journal.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Bert, Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof—was substituted therefor on the file.

MOTION.

Senator Androus moved that Senate Bill No. 449 be now taken up and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation therefor.

Read first time, and, on motion of Senator Androus, made a special order for Wednesday next, at three o'clock and thirty minutes p. m.

MOTION.

Senator Gesford moved that the Senate take up Governor's messages. So ordered.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 4, 1895. }

To the Senate of the State of California:

It is my duty to inform your honorable body that the Assembly amendment to Senate Bill No. 55 (fifty-five) has never been concurred in by the house in which the bill originated. I therefore ask you to withdraw said bill, which was transmitted to me for my approval February 26th, and to take such action as your honorable body may deem necessary to cure said defect.

It is my further duty to inform you that Senate Bill No. 182 (one hundred and eighty-two), which was transmitted to me for my approval on the date aforesaid, is also defective in the same manner.

JAMES H. BUDD, Governor.

RESOLUTION.

By Senator Gesford:

Resolved, That the Governor be and he is hereby respectfully requested to return to the Senate, Senate Bills Nos. 55 and 182, heretofore transmitted, that the Senate may take action upon Assembly amendments to said bills.

Adopted.

MOTION.

On motion of Senator Bert, the proposed substitute for several bills referred to the Committee on Military Affairs was ordered printed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your Committee on Retrenchment and Public Expenditures, to whom was referred Senate Bill No. 136—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Also: Senate Bill No. 562—An Act to repeal an Act entitled "An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner," approved March 24, 1893.

Also: Senate Bill No. 605—An Act to regulate the salaries of certain officers in State institutions.

Also: Senate Bill No. 713—An Act to define the location and provide for the offices of the Bank and Insurance Commissions.

Also: Senate Bill No. 727—An Act to define the location and provide for the offices of the Railroad Commission.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SEYMOUR, Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 724—An Act providing for the incorporation of banking corporations; defining the same, and providing for the government, regulation, and control of all such corporations organized under the laws of this State, or of any other State, Territory, or foreign country, doing business within this State; and of all other corporations, companies, partnerships, firms, and individuals doing a banking business within this State—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DENISON, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 830—An Act relative to establishment of a Board of Examiners for the California State Therapeutic Society.

Also: Senate Bill No. 841—An Act providing for compiling and publishing an elementary word book or speller for the State series of text-books.

Also: Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five, of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EARL, Chairman.

RECESS.

At four o'clock and thirty-five minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M., on motion of Senator Ford.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

MOTIONS.

On motion of Senator Langford, Senate Bill No. 787 was made a special order for to-morrow, at three o'clock and thirty minutes P. M., to follow special orders already set.

Senator Ford moved that after the special orders now set for the afternoon sessions are disposed of, the third-reading file be made a special order for each afternoon from three o'clock and thirty minutes until the afternoon recess.

So ordered.

Senator Hart moved that Substitutes for Senate Bills Nos. 314 and 554—being numbers three hundred and sixteen and three hundred and seventeen on file—be made a special order for Wednesday next, at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL URGENCY FILE.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

PASSAGE OF BILLS.

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Simpson, Toner, Voorheis, and Whitehurst—31.

NOES—Senator Martin—1.

Title read and approved.

At seven o'clock and fifty-five minutes P. M. Senator Orr was called to the chair.

Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-

nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

The bill having been read the third time on a previous day, the question was on its passage.

During discussion on the passage of the above bill, at eight o'clock and five minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

The roll was called, and Substitute for Senate Bill No. 544 passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Fay, Flint, Ford, Franck, Gesford, Langford, Martin, Mathews, McGowan, Orr, Pedlar, Seawell, Shine, Simpson, Smith, Voorheis, Whitehurst, and Withington—23.

NOES—Senators Bert, Dunn, Earl, Gleaves, Hart, Henderson, Hoyt, Mahoney, McAllister, Seymour, Shippee, and Toner—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator McGowan gave notice that on to-morrow he would move a reconsideration of the vote whereby Substitute for Senate Bill No. 544 was this day passed.

At eight o'clock and forty minutes p. m. Senator Orr was called to the chair.

Senator Ford called up his notice, given on Saturday last, to reconsider the vote whereby the Senate refused final passage to Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers—and moved to reconsider the vote whereby Assembly Bill No. 50 was refused final passage.

The roll was called, and the Senate refused to reconsider by the following vote:

AYES—Senators Androus, Bert, Denison, Flint, Ford, Gleaves, Hart, Martin, Mathews, McGowan, Pedlar, Simpson, Smith, Voorheis, Whitehurst, and Withington—16.

NOES—Senators Aram, Dunn, Earl, Fay, Gesford, Hoyt, Mahoney, McAllister, Orr, Seawell, Seymour, Shine, Shippee, and Toner—14.

Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Passed on file.

At nine o'clock p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

THIRD READING OF BILLS.

Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Dunn, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Mathews, McGowan, Pedlar, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—21.

NOES—Senators Beard, Denison, Earl, Mahoney, Martin, Seymour, Shine, and Toner—8.

Title read and approved.

Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening

and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Read third time, and passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Smith—1.

Title read and approved.

Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits: to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Passed on file, at request of author.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Voorheis, Senate Bill No. 612—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General as the general locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 695 was substituted therefor on file, the bills being identical. The history of Senate Bill No. 612 is as follows: Case of urgency; read first time.

FIRST READING OF BILL.

Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Read first time, and placed on special urgency file for second reading, on motion of Senator Voorheis.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Arms, Androus, Beard, Dunn, Earl, Fay, Flint, Franck, Hart, Henderson, Hoyt, Mahoney, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—25.

NOES—Senator Denison—1.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary; and to appropriate money therefor.

During the second reading of the bill, the following substitute, suggested by committee, was read:

JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE BILL No. 284.

An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary and stenographer therefor; and to provide for the compensation and expenses of said commission, Secretary, and stenographer, and to appropriate money therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

THE COMMISSION.

SECTION 1. A non-partisan commission, consisting of three persons as hereinafter designated, is hereby created and established, for the purpose of revising, compiling, correcting, amending, systematizing, improving, and reforming the laws of this State, for the advancement and welfare of the people thereof.

QUALIFICATIONS OF MEMBERS.

SEC. 2. The members of said commission shall be known and designated as "The Commissioners for the Revision and Reform of the Law," and the term of office shall be two (2) years from and after the first day of April, one thousand eight hundred and ninety-five.

They shall not belong to the same political party, but shall be members of the legal profession who have for more than ten years prior to their appointment been engaged in the practice of the law in this State, and admitted to practice before the Supreme Court. Each shall be appointed from and represent a separate portion of the State.

MANNER OF APPOINTMENT.

SEC. 3. Said Commissioners shall be appointed by the Governor within ten days from the passage of this Act.

In case of a vacancy or vacancies in said commission by death, resignation, removal, or otherwise, a successor or successors to fill such vacancy or vacancies for the unexpired term shall be appointed in like manner.

NOTICE OF APPOINTMENT.

SEC. 4. The Secretary of State shall, after the passage of this Act and the appointment of such Commissioners, immediately notify each appointee thereof, and issue to each appointee a commission, under the great seal of this State, notifying him of the passage of said Act and of his appointment by the Governor. Each appointee shall immediately upon receiving said notice of his appointment, if he accepts the same, take and subscribe an oath of office, which shall be filed in the office of the Secretary of State.

ORGANIZATION OF COMMISSION.

SEC. 5. The commission shall hold its sessions in a room to be provided by the Secretary of State, in the State Capitol, and shall enter upon the discharge of its duties immediately after its organization. Said Commissioners shall select and adopt a suitable seal for the authentication of their acts, records, and proceedings, and adopt and provide for the publication of such reasonable and proper rules and regulations for the conduct of the business of said Board, and for the promotion of the objects intended to be advanced by this Act. They shall, thereupon, select and appoint a Secretary and stenographer, to hold office during the pleasure of said Board, who shall attend all the sittings of said Board, and act under its supervision.

POWERS AND DUTIES.

SEC. 6. 1. It shall be the duty of said Commissioners to revise and examine the Political Code, the Civil Code, the Code of Civil Procedure, and the Penal Code of the State of California.

2. To revise and examine all the statutes of this State that have been or shall hereafter be passed by the Legislature thereof and published by the State.

3. They shall ascertain, determine, and designate, according to their best judgment, those statutes now in force, and those expressly, or by implication, repealed.

4. They shall note and designate the errors, defects, or omissions, verbal, grammatical, or otherwise, and suggest what will be necessary to supply, correct, or amend the same, and such improvements as shall introduce precision and clearness into the wording of the codes and statutes.

5. All, or any of the reports, records, or proceedings of said commission, shall be printed by the State Printer, on the requisition of said Board, when so ordered and directed by said Board.

6. Said Board shall have power to order the State Printer to print and deliver to the Secretary of said Board, such number as said Board may designate, of any report, record, or proceedings of said Board.

7. Said Commissioners, or either of them, upon the request of the Legislature, or a duly appointed committee thereof, shall attend at the Capitol during the sitting of said session of the Legislature, and act as legislative counsel or adviser, in drafting or passing upon the form of any bill, or proposed bill, pending or to be introduced before the Legislature, and also, when requested, give advice to said Legislature, or such committee, as to the form of any proposed legislation, and its effect upon existing laws, and as to whether said bill, as drawn and presented, is so constructed and worded as to carry out the purpose intended.

8. Thirty days prior to every session of the Legislature, said Board shall make and file with the Secretary of State a report of their transactions relating to legislative matters, or which would give any information or knowledge to said Legislature as to legislation in the past, and as to the policy for future legislation. And they shall also report to said Legislature such suggestions as they deem proper for the promotion of the public welfare and the best interests of the State, or any locality or citizens thereof, and file therewith schedules or exhibits, showing the form or substance of all proposed legislation which they recommend.

And they shall suggest all such improvements as shall conduce to precision and clearness in the wording of the Codes and statutes, and propose such measures as may be necessary to improve or give unity and completeness to the system of the laws of this State; said reports, schedules, and exhibits shall be printed by the State Printer, upon the requisition and under the supervision of the Commissioners. They shall be so printed as to show, in the readiest manner, the changes proposed by the commission, and in those cases wherein it shall recommend the repeal of a law, and propose a substitute therefor, such law and substitute shall be printed in the manner most convenient for comparison.

9. Said Board shall at all such times as they may designate by rules and regulations which they may adopt, sit in open session and hear such printed or oral arguments, as may be addressed to them, for or against any proposed or existing legislation. All such sessions of the Board shall be open to the public, and a record of all proceedings shall be kept and preserved by the Secretary of said Board.

COMPENSATION.

SEC. 7. 1. Said Commissioners shall receive for their services, from the State, the same compensation now paid to the Justices of the Supreme Court; such compensation shall be paid in the same manner as the salaries of the Justices of the Supreme Court are now paid.

2. The Secretary of the commission shall receive the sum of two hundred dollars (\$200) per month, and the stenographer one hundred dollars (\$100) per month, payable in like manner as the salaries are paid to the members of said commission.

3. The expenses incurred by said commission, or the members thereof, exclusive of salaries, shall be set forth in detail in an itemized statement, and thereupon a requisition shall be made by said Board of Commissioners upon the State Controller, accompanied by the sworn certificates of all the Commissioners that the services have been performed and the materials used or things furnished, and that said sums are justly due.

4. And said State Controller is hereby directed to draw his warrant on the Treasurer for the payment of said salaries, when due and payable, as herein provided, and also for such sums as are covered by said requisitions; and the Treasurer is hereby directed to pay the same out of any money not otherwise appropriated.

SEC. 8. This Act shall take effect and be in force from and after the date of its passage.

Substitute adopted.

Senator Ford offered the following amendment to the substitute:

Amend by striking out of section seven, lines one and two, the words "the same compensation now paid to the Justices of the Supreme Court," and inserting the following: "the sum of four thousand dollars each per annum."

Adopted.

Senator Simpson offered the following amendment to the substitute:

Amend by striking out of section two, line five, the word "ten" and inserting the following: "five."

Adopted.

Bill read second time, and ordered to print as amended, and on special urgency file for third reading.

At nine o'clock and twenty-five minutes p. m. Senator Hart moved to adjourn.

Lost.

LEAVE OF ABSENCE.

Senators Seymour and Aram were granted leave of absence for the remainder of the evening.

Senator Arms gave notice of amendment to the rules, as follows:

Amend Rule No. 24 by adding thereto the following: "During the remainder of the session no speeches on any bill or other matter shall be longer than three minutes, and no Senator (save the mover of the matter or author of the bill before the Senate) shall be permitted to speak more than once upon the same question."

Referred to Committee on State Library and Rules.

SPECIAL URGENCY FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

During the second reading of the bill, the following amendments, suggested by committee, were read:

Amend by striking out of section four, line thirty-seven of printed bill, the first word "the," and inserting the following: "to."

Adopted.

Also: In section six, subdivision one, line two of printed bill, strike out the word "five," and insert the word "three."

Adopted.

Also: In section six, subdivision one, line seven of printed bill, strike out the word "three," and insert the word "two."

Adopted.

Also: Strike out all of section seven, and insert in lieu thereof the following:
"SEC. 7. All township officers shall be elected on the third Tuesday in February of the even-numbered years, beginning in 1896, except in the first election of officers under

this Act, which officers shall be elected at the time of voting to organize the township, and shall take their offices at twelve o'clock meridian on the first Monday following the date of their election, and shall hold office for two years and until their successors are elected and qualified; *provided*, that the township officers first elected under this Act shall hold office only until the first Monday in March of the first even-numbered year after the election of said township officers; and *provided further*, that the officers first elected shall take office the first Monday after their election."

Adopted.

Senator Simpson moved to amend as follows:

Amend by inserting in front of last line of printed bill the words and figures "Sec. 37."

Adopted.

Bill read second time, and ordered to print as amended, and on special urgency file for third reading.

MOTION.

Senator Orr moved that Senate Bill No. 402 be made a special order for to-morrow, at four o'clock P. M.

So ordered.

ADJOURNMENT.

At nine o'clock and forty minutes P. M., on motion of Senator Orr, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 5, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Gleaves.

MOTION.

Senator Martin moved that the Senate take a recess until two o'clock to-day, out of respect to the memory of Bishop Manogue.

Senator Hart moved to amend the motion as follows: That when the

Senate adjourn to-day, it adjourn out of respect to the memory of Bishop Manogue.

Senator Seymour moved to lay the whole subject-matter on the table.
So ordered.

APPROVAL OF JOURNAL.

The Journal of Saturday, March 2, 1895, was approved.

MOTION.

Senator Withington moved that the consideration of Senate Bill No. 807—An Act to establish a uniform system of county and township government—be postponed and made a special order for Thursday next, immediately after reading the Journal.

So ordered.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

The question being on the reconsideration of the vote whereby the amendment offered by Senator Burke to Senate Bill No. 465 was on a previous day adopted.

MOTION.

Senator Ford moved that the vote whereby the amendment offered by Senator Burke to Senate Bill No. 465 was adopted on a previous day, in compliance with notice given by Senator Pedlar, be now reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Arms, Androus, Beard, Denison, Earl, Ford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Mathews, McGowan, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington—23.

NOES—Senators Aram, Burke, Dunn, Fay, Flint, Franck, Langford, McAllister, Seawell, Shippee, and Whitehurst—11.

The question then being on the adoption of the amendment offered by Senator Burke, as follows:

Amend section two by inserting after the word "petition," in line ninety-eight thereof, the following:

"Provided, it shall be the duty of such commission to determine whether or not it will be to the advantage of the proposed new county and of the old county or counties out of which it is proposed to create such new county, that the same should be created; and if the creation of such new county, in the opinion of such commission, will not be of general public utility, all the interests of the proposed new county and the said old county or counties, out of which the same is proposed to be created, being duly and fairly considered, then such commission shall proceed no further in the formation of such new county."

The same was refused adoption.

MOTION.

Senator Burke moved that Senator Simpson be appointed a special committee of one, with instructions to amend Senate Bill No. 465 as follows:

Amend section one by inserting after the word "divided," in line eight, the words "nor shall any new county be formed which shall reduce any existing county to a less area than five hundred square miles, except where less area contains a city with a population of over fifteen thousand."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 465, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Burke moved that Senator Simpson be appointed a special committee of one, with instructions to amend Senate Bill No. 465 as follows:

Amend section two by inserting after the word "county," in line seventy-two, the words "whether the proposed new county shall reduce any existing county to a less area than five hundred square miles, and if so, whether said less area contains a city with a population of over fifteen thousand."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 465, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

At ten o'clock and twenty minutes A. M. Senator Bert was called to the chair.

MOTION.

Senator Seawell moved that Senator Langford be appointed a special committee of one, with instructions to amend Senate Bill No. 465 as follows:

Amend section one as follows: By striking out the word "sixty (60)" on lines five and six of said bill, and inserting in lieu thereof the word "fifty (50)."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 465, with instructions to amend, respectfully reports the same back, amended as per instructions.

LANGFORD, Committee.

Upon the adoption of the report, the roll was called, and the report of committee of one and amendment refused adoption by the following vote:

AYES—Senators Beard, Burke, Flint, Franck, Langford, Martin, Mathews, Seawell, Shippee, and Whitehurst—10.

NOES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Earl, Fay, Ford, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington—27.

MOTION.

Senator Orr moved that Senator Ford be appointed a special committee of one, with instructions to amend Senate Bill No. 465 as follows:

After the word "thereby" at end of line sixteen in section two, insert as follows:

"*Provided*, that the boundaries of the proposed new county described in said petition shall not be so located as to exclude from such new county any territory, or any part of any territory, the usual route of travel from which to the county seat of the old county of which it forms a part, lies through any part of the territory included within the proposed new county; and *provided*, that said Board shall not include any territory outside of the boundaries described as aforesaid in said petition, and shall not include within the defined boundaries of the proposed county any territory contiguous to that remaining in the old county, and included within the boundaries of the new county as described in the petition (the usual route of travel from which to the county seat of the old county does not traverse territory of the proposed county, as the same will be constituted after the exclusion of territory herein provided for), in the event that one half of the qualified electors who have been resident therein for ninety days shall petition said Board in writing before the hearing, to exclude said territory from the new county and to allow it to remain a part of the old county. Such petition shall describe the boundaries of the territory so asked to be excluded from the new county. The affidavit of any elector, resident in said territory sought to be excluded from the new county as aforesaid, shall be *prima facie* evidence of the authenticity of the signatures to said petition for the exclusion thereof, and of the fact that the subscribers thereto constitute at least one half of the electors who have been resident for ninety days in the territory in such petition described. The Board shall not exclude from the proposed new county any territory included within the boundaries described in the petition otherwise than upon petition as above provided."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 465, with instructions to amend, respectfully reports the same back, amended as per instructions.

FORD, Committee.

The question being on the adoption of the report of committee of one and amendment, the same was refused adoption.

Senate Bill No. 465, as amended, ordered printed.

MOTION.

Senator Ford moved that the further consideration of Senate Bill No. 465 be made a special order for to-day, at seven o'clock and thirty minutes P. M.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Read third time.

MOTIONS.

Senator Androus moved that the further consideration of Senate Bill No. 194 be made a special order for to-morrow, at four o'clock p. m.

So ordered.

Senator Voorheis moved that the further consideration of Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California—be made a special order for to-morrow, at four o'clock p. m.

So ordered.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Senator Earl moved that the further consideration of Senate Bill No. 721 be made a special order for this afternoon, to follow special orders already set.

So ordered.

PETITION.

The following petition was presented by Senator Pedlar, and ordered printed in the Journal:

To His Excellency Hon. JAMES H. EDDY, Governor of the State of California, and to the honorable the members of the State Senate and Assembly:

GENTLEMEN: We most earnestly petition you in your respective capacities, to use your best efforts to secure the enactment of the measure providing "For the establishment of free employment offices in all first and second class cities and under the direction of the Commissioner of Bureau of Labor Statistics." We particularly recommend its enactment because of the direct and beneficial effect to all labor interests, both of the employer and employed.

Signed by H. E. Chamberlain, printer, 1609 N Street, Fresno, and four hundred others.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following amendment to Rule No. 24 of Standing Rules of the Senate:

Amend Rule No. 24 by adding thereto the following: "During the remainder of the session no speeches on any bill or other matter shall be longer than three minutes, and no Senator (save the mover of the matter or author of the bill before the Senate) shall be permitted to speak more than once upon the same question."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

EARL, Chairman.

MOTIONS.

Senator Arms moved that the report of the committee be adopted.

Senator Ford moved to amend the resolution so that the time shall be ten minutes instead of three minutes.

Upon the question of the adoption of the amendment offered by Senator Ford, the roll was called, and the motion to amend adopted by the following vote:

AYES—Senators Androus, Beard, Bert, Burke, Ford, Hart, Martin, Mathews, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—16.

NOES—Senators Arms, Denison, Earl, Fay, Flint, Franck, Holloway, Hoyt, Linder, Mahoney, McGowan, Orr, Seawell, and Voorheis—14.

Senator Orr moved to lay the whole subject-matter on the table.

So ordered.

Senator Voorheis moved that Senate Bills Nos. 193, 194, and 449, already set as special orders for to-morrow afternoon, be made special orders for to-morrow, immediately after reading Journal.

So ordered.

At eleven o'clock A. M. President pro tem. Hon. Thomas Flint, Jr., resumed chair.

MOTION.

Senator Holloway moved that Senate Bill No. 473 be taken up and read the second time, and that the further consideration of Senate Bill No. 473 be made a special order for to-morrow, to follow special orders of a like character.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric light plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

During the second reading of the bill, the following amendments, suggested by the committee, were read:

Amend by striking out of section two, line six, the words "five thousand," and inserting the following: "thirty-five hundred."

Adopted.

Also: Amend by inserting in section two, after line ten, the following: "The sum of one thousand five hundred dollars of the money herein appropriated shall be expended for the purchase of milch cows and poultry."

Adopted.

Also: Amend section four by inserting, after the word "immediately," the words "after January 1, 1896."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTION.

Senator Voorheis moved that Senate Bill No. 449 be taken up and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School, at Whittier, California, and making an appropriation for the same.

During the second reading of the bill, the following substitute, suggested by the committee, was read:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 449.

An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: enlargement of trades building; construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine, for new boiler for power house, for equipment of shops; to purchase additional land; for additional water and necessary piping; for barracks; for improvement of grounds around the girls' building, and erection of a barn thereon.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of sixty-three thousand one hundred and fifty dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be paid to the Trustees of the Whittier State School and by them expended as follows:

For the enlargement of the trades building, twelve thousand dollars; for hospital and necessary furniture, six thousand dollars; for finishing the attic in the administration building, six hundred dollars; for additional books and periodicals for library, two thousand dollars; for horses, cows, hogs, and agricultural implements, two thousand dollars; for the completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department, four thousand dollars; for the completion and furnishing of building now in course of construction for girls, three thousand five hundred dollars; for mangle and washing machine, one thousand eight hundred dollars; for new boiler for power house, one thousand seven hundred and fifty dollars; for equipment of shops, seven thousand dollars; for additional land, ten thousand dollars; for additional water and necessary piping, eight thousand dollars; for seven barracks or shelter buildings, three thousand five hundred dollars; for improvement of grounds around girls' building, and erecting a barn thereon, one thousand dollars.

SEC. 2. The Controller of the State is hereby authorized and directed to draw his warrants for said amounts upon demand of the Trustees of said school, and the State Treasurer is hereby authorized and directed to pay the same.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Committee Substitute for Senate Bill No. 449 adopted.

The following amendment, submitted by the Finance Committee, was read:

Amend section three by striking out the words "its passage," and inserting "January 1, 1896."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senator Ford, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Senate Concurrent Resolution No. 10 was adopted, moved that the motion to reconsider be postponed until to-morrow morning.

So ordered.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 873—An Act to provide for the exercise of the powers and duties of the Governor in certain contingencies.

Also: Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco.

Also: Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Also: Senate Bill No. 833—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 108—An Act to authorize the several counties of this State to provide for the construction and operation of railroads within their several counties, and to create a bonded indebtedness for that purpose—have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

Senator Mathews moved that Senate Bill No. 875 be read the first time, and substituted for Senate Bill No. 363, number one hundred and sixty-eight on file.

So ordered.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Mathews, Senate Bill No. 363—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 875 was substituted therefor on the file.

FIRST READING OF BILL.

Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Read first time and ordered on file for second reading.

RESOLUTION.

By Senator Earl:

Resolved, That the provisions of the Constitution (section two, article four), relating to the time when bills may be introduced, are hereby suspended, and permission is hereby granted to Senators Ford and Earl to introduce Senate Bills Nos. 878, 879, 880, 881, 882, and 883.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Toner, and Withington—29.

NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ford: Assembly Bill No. 878—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be known as section nine hundred and sixty, relating to appeals in civil cases.

Referred to Committee on Judiciary.

Also: Senate Bill No. 879—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be known as section three hundred and ninety-one, relating to parties to civil actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 880—An Act to amend section five hundred and ninety-two of the Code of Civil Procedure of California, relating to the trial of issues of fact in actions both at law and in equity.

Referred to Committee on Judiciary.

By Senator Earl (by request): Senate Bill No. 881—An Act to amend section four hundred and seventy-five of the Code of Civil Procedure of California, relating to errors and defects in pleadings and proceedings, and to errors in overruling or sustaining demurrers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 882—An Act to amend section four hundred and thirty-one of the Code of Civil Procedure, relating to demurrers to complaints.

Referred to Committee on Judiciary.

Also: Senate Bill No. 883—An Act to amend the Code of Civil Procedure of California, by adding a new section thereto, to be known as section four hundred and seventy-seven, relating to pleadings in civil actions, and amendments.

Referred to Committee on Judiciary.

RESOLUTION.

By Senator Shine:

Resolved, That Emil Ney be and he is hereby allowed the sum of one hundred and five dollars, payable out of the fund for the contingent expenses of the Senate, being the amount due and unpaid for services as fireman for the twenty-one days ending January 31, 1895.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Also: Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Also: Senate Bill No. 778—An Act to amend an Act entitled "An Act to provide for the removal of the mineral cabinet from the State Library," approved March 9, 1887.

Also: Senate Bill No. 254—An Act to provide for the purchase of a portrait of ex-Governor Markham, by the Secretary of State, and to appropriate money therefor.

Also: Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Also: Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

SMITH, Chairman.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Read third time.

The question being on the passage of Senate Bill No. 721.

The roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

MOTION.

Senator Orr moved that Senate Bills Nos. 614 and 615 be taken up and read the first time.

So ordered.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on special file for second reading:

Senate Bill No. 614—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerk and phonographic reporter to be civil executive officers, and fixing their salaries.

Senate Bill No. 615—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

MOTION.

Senator Mathews moved that Senate Bill No. 733 be taken up and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Read first time, and ordered on special file for second reading.

MOTION.

Senator Franck moved that Senate Bill No. 780 be taken up and read the first time, and retain place on special file for second reading.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Read first time, and ordered on file for second reading.

MOTION.

Senator Aram moved that Senate Bill No. 763 be taken up and read the second time, and retain place on special file for third reading.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands, other than swamp and overflowed lands.

Read second time, ordered engrossed and on file for third reading.

MOTION.

On motion, Senate Bill No. 275 was taken up and read first and second times.

CASES OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Read first time.

During the second reading of the bill, the following amendment, suggested by the committee, was read:

Amend by striking out of section one, line nine, the word "several," and inserting the following: "seven."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

MOTION.

Senator Earl moved that Senate Bill No. 799 be taken up and read first and second times.

So ordered.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 799—An Act to prevent and forbid the owners of street railroads to require deposit from employes.

Read first time.

During the second reading of the bill, the following amendments, suggested by the committee, were read:

In title, strike out the words "the owners of," and insert "all persons who own, operate, or carry on."

Adopted.

Also: In line one, section one, printed bill, strike out the words "owner of," and insert the words, "person, firm, or corporation who may now or may hereafter own, operate, or carry on."

Adopted.

Also: In line two, same section, strike out the word "owner," and insert the words "person, firm, or corporation."

Adopted.

Also: In section two, line one, strike out the words "owner of," and insert the words "person, firm, or corporation owning, operating, or carrying on."

Adopted.

Also: Strike out section four.

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

MOTION.

Senator Ford moved that Senate Bill No. 709, number five hundred on to-day's urgency file, be read first and second times, and made a special order for three o'clock and thirty minutes this afternoon, to follow Senate Bills Nos. 60, 61, and 62, now set as special orders for that hour. So ordered.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the waterfront of City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889.

Read first and second times, considered engrossed, and placed on file for third reading.

MOTION.

Senator Pedlar moved that Senate Bill No. 118 be taken up, read the second time, and placed on special file.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 118—An Act making an appropriation to pay Charles Phipps, for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Read second time, ordered engrossed, and on special file for third reading.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, and Whitehurst.

Quorum present.

LEAVE OF ABSENCE.

At two o'clock and two minutes P. M. Senators McGowan, Holloway, and McAllister were granted leave of absence for a few minutes, on motion of Senator McAllister.

MOTION.

Senator Mathews moved that Senator Franck be appointed a special committee of one, with instructions to amend Senate Bill No. 105—An Act appropriating four thousand dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California—as follows:

Insert in title, after the word "appropriating," the figures "\$6,500" instead of "\$4,000."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 105, with instructions to amend, respectfully reports the same back, amended as per instructions.

FRANCK, Committee.

Report of committee of one and amendment adopted.

Senate Bill No. 105 ordered printed and reingrossed as amended, and on file for third reading.

MOTION.

Senator Androus moved that the Secretary of the Senate be instructed to correct the Journal of to-day so that the amendment to Senate Bill No. 473 will read: strike out the words and figures "five thousand (\$5,000)" instead of "five thousand," as it now reads.

So ordered.

At two o'clock and five minutes P. M. Senator Orr was called to the chair.

SPECIAL ORDER.

The hour having arrived, Senator Ford called for the special order heretofore set for this time, viz.: consideration of Assembly Bill No. 248.

SECOND READING OF BILL.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

The bill having been read the second time on a previous day, but left open for further amendment.

Senator Seawell moved to amend Assembly Bill No. 248, as follows:

Amend by striking out of section one, line four, the words "at the option of the employé"; also, all after the word "time," in line six; also, by striking out all of section two.

Adopted.

Bill ordered printed as amended, and on file for third reading.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

The bill having been read the third time on a previous day, the question was on its final passage.

Senator Smith moved that Senator Hart be appointed a special committee of one, with instructions to amend Assembly Bill No. 361, as follows:

Amend by striking out of section one, line seven, the words "any officer or commission of the United States Government," and inserting the following: "The California Debris Commission."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 361, with instructions to amend, respectfully reports the same back, amended as per instructions.

HART, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended, and on file for final passage.

MOTION.

Senator Seawell moved that the further consideration of Assembly Bill No. 248 be made a special order for to-morrow, at two o'clock P. M., to follow special orders already set at said hour.

So ordered.

REPORT OF SPECIAL COMMITTEE OF CONFERENCE.

On Assembly Bill No. 617:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee of Conference, consisting of Senators Voorheis, Langford, and Orr, have met a like committee of the Assembly, consisting of Messrs. Brusie, Bulla, and Laugenour, and had under consideration Assembly Bill No. 617 (as amended in the Senate March 1st)—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Your committee further reports that the Conference Committee of the Senate and Assembly at said meeting agreed upon the following amendments, and recommends that said amendments be concurred in by the Assembly:

In section one, line nine, striking out "twelve" and inserting "thirty-five," recommend that the Assembly concur in Senate amendment.

Section one, line twelve, striking out "thirteen" and inserting "twenty," recommend that the Assembly concur in Senate amendment.

Section one, line ten, striking out "eighteen" and inserting "forty," recommend that the Assembly concur in Senate amendment.

Section one, line thirty-nine, striking out "ten" and inserting "five," recommend that the Senate recede from its amendment.

Section one, lines fifty-three and fifty-four, inserting "For salary of Expert to Board of Examiners, four thousand dollars; for traveling expenses of Board of Examiners and Expert, two thousand dollars," recommend that the Assembly concur in Senate amendment.

Section one, line seventy-two, striking out "fourteen" and inserting "twenty," recommend that the Assembly concur in Senate amendment.

Section one, striking out lines seventy-eight, seventy-nine, and eighty of the bill as amended in the Assembly February 13th, "sixteen thousand dollars for an electric light plant," recommend that the Assembly concur in Senate amendment.

Section one, line eighty, striking out "two" and inserting "eight," recommend that the Assembly concur in Senate amendment.

Section one, inserting line eighty-one, "for lighting Capitol grounds, two thousand four hundred dollars," recommend that the Assembly concur in Senate amendment.

Section one, lines one hundred and thirty and one hundred and thirty-one, striking out "one thousand two hundred dollars," and inserting "two thousand two hundred and fifty dollars," recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and forty-three, striking out "one hundred and eighty-five thousand" and inserting "two hundred and twenty-five thousand," recommend that the Senate recede from its amendment.

Section one, striking out lines one hundred and forty-three and one hundred and forty-four of the bill as amended in Assembly February 13th ("five hundred dollars for hospital supplies"), recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and forty-seven, striking out "forty-four" and inserting "fifty," recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and forty-nine, striking out "twenty" and inserting "forty," recommend that the Assembly concur in Senate amendment.

Section one, inserting lines one hundred and fifty-nine and one hundred and sixty, recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and sixty-nine, striking out "one thousand dollars" and inserting "two thousand and forty dollars," recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and eighty-three, striking out "ten" and inserting "twenty," recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and eighty-eight, striking out "three hundred and seventy-four thousand four hundred and ninety dollars" and inserting "four hundred thousand dollars," recommend that the Senate recede from its amendment.

Section one, line one hundred and eighty-nine, striking out "sixty-two" and inserting "seventy," recommend that the Senate recede from its amendment.

Section one, lines one hundred and ninety and one hundred and ninety-one, striking out "one hundred and thirty thousand two hundred and twenty-five dollars" and inserting "one hundred and eighty thousand six hundred and seventy-five dollars," recommend that the Senate recede from its amendment.

Section one, line two hundred and five, striking out "two hundred and fifty" and inserting "two hundred and forty-five," recommend that the Assembly concur in Senate amendment.

Section one, line two hundred and ten, inserting the word "periodicals," recommend that the Assembly concur in Senate amendment.

Section one, line two hundred and eleven, inserting the words "and furniture," recommend that the Assembly concur in Senate amendment.

Section one, line two hundred and eleven, striking out "four thousand five hundred" and inserting "seven thousand," recommend that the Senate recede from its amendment.

Section one, line two hundred and thirteen, inserting the words "and periodicals," recommend that the Assembly concur in Senate amendment.

Section one, line two hundred and seventeen, inserting the words "and periodicals," recommend that the Assembly concur in Senate amendment.

Section one, inserting lines two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, and two hundred and twenty-seven and one half, containing the following items:

For use of State Board of Horticulture, ten thousand four hundred dollars.

For salary of the Secretary of State Board of Horticulture, forty-two hundred dollars.

For salary of Clerk to the Secretary of State Board of Horticulture, twelve hundred dollars.

For salary of the clerks of the Publishing and Quarantine Bureau, State Board of Horticulture, four thousand two hundred dollars.

For use of the State Board of Viticulture, twenty-five hundred dollars. This appropriation shall not be subject to the provisions of section four of this Act—recommend that the Assembly concur in Senate amendment.

Section one, striking out lines two hundred and thirty-five and two hundred and thirty-six of the bill as amended in the Assembly February 13th, recommend that the Assembly concur in Senate amendment.

Section one, striking out line two hundred and thirty-four of the bill as amended in Assembly February 13th, and inserting the following:

"For the support and maintenance of the Veterans of the Mexican and Civil Wars in indigent circumstances, residing in the Veterans' Home at Yountville, under the auspices of the Veterans' Home Association, the sum of ninety thousand dollars; *provided*, that no money herein appropriated shall be used for the support or maintenance of any office, or any salaried officer, at any other place than the Home at Yountville; *and provided further*, that the Board of Directors of said Veterans' Home Association shall contract for all supplies purchased for said Home by virtue of this appropriation, after having first advertised for such contracts for two consecutive weeks before the letting thereof in one newspaper published in the City and County of San Francisco, one newspaper published in the city of Sacramento, and one newspaper published in the county of Napa, which said advertisement shall state the time, place, and conditions of

the letting of such contracts; and *provided further*, that all such contracts shall be for a period of not less than six nor more than twelve months, and shall be awarded to the lowest bidder, at a public letting thereof," recommend that the Assembly concur in Senate amendment.

Section one, inserting lines two hundred and fifty-five, two hundred and fifty-six, and two hundred and fifty-seven, as follows: For aid to State Agricultural Society, forty thousand dollars; *provided*, that the State Agricultural Society maintain a statistical department, for the annual collection, compilation, and distribution of statistics relating to the products and resources of the State—recommend that the Assembly concur in Senate amendment.

Section one, inserting lines two hundred and fifty-eight to three hundred and eleven inclusive, as follows:

For aid to District Agricultural Society number one, seven thousand dollars.
For aid to District Agricultural Society number two, seven thousand dollars.
For aid to District Agricultural Society number three, four thousand dollars.
For aid to District Agricultural Society number four, six thousand dollars.
For aid to District Agricultural Society number five, six thousand dollars.
For aid to District Agricultural Society number six, six thousand dollars.
For aid to District Agricultural Society number seven, three thousand five hundred dollars.

For aid to District Agricultural Society number eight, four thousand dollars.
For aid to District Agricultural Society number nine, four thousand five hundred dollars.

For aid to District Agricultural Society number ten, four thousand five hundred dollars.

For aid to District Agricultural Society number eleven, three thousand dollars.
For aid to District Agricultural Society number twelve, five thousand dollars.
For aid to District Agricultural Society number thirteen, six thousand dollars.
For aid to District Agricultural Society number fourteen, four thousand dollars.
For aid to District Agricultural Society number fifteen, three thousand dollars.
For aid to District Agricultural Society number sixteen, four thousand five hundred dollars.

For aid to District Agricultural Society number seventeen, four thousand five hundred dollars.

For aid to District Agricultural Society number eighteen, six thousand dollars.
For aid to District Agricultural Society number nineteen, four thousand dollars.
For aid to District Agricultural Society number twenty, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-one, six thousand dollars.
For aid to District Agricultural Society number twenty-two, four thousand dollars.
For aid to District Agricultural Society number twenty-three, three thousand five hundred dollars.

For aid to District Agricultural Society number twenty-four, three thousand dollars.
For aid to District Agricultural Society number twenty-five, five thousand dollars.
For aid to District Agricultural Society number twenty-six, six thousand dollars.
For aid to District Agricultural Society number twenty-seven, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-eight, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-nine, four thousand dollars.
For aid to District Agricultural Society number thirty, four thousand dollars.
For aid to District Agricultural Society number thirty-one, four thousand dollars.
For aid to District Agricultural Society number thirty-two, three thousand five hundred dollars.

For aid to District Agricultural Society number thirty-three, three thousand dollars.
For aid to District Agricultural Society number thirty-four, three thousand dollars.
For aid to District Agricultural Society number thirty-five, four thousand dollars.
For aid to District Agricultural Society number thirty-six, four thousand dollars.
For aid to District Agricultural Society number thirty-seven, three thousand dollars.
For aid to District Agricultural Society number thirty-eight, four thousand dollars.
For aid to District Agricultural Society number thirty-nine, three thousand dollars.
For aid to District Agricultural Society number forty, five thousand dollars.
For aid to District Agricultural Society number forty-one, three thousand dollars.
For aid to District Agricultural Society number forty-two, three thousand dollars.
For aid to District Agricultural Society number forty-three, three thousand dollars.
For aid to District Agricultural Society number forty-four, to be created, three thousand dollars.

For aid to District Agricultural Society number forty-five, to be created, three thousand dollars.

Provided, that no moneys appropriated for agricultural societies shall be drawn, used, or paid for racing or speed contests.

Recommend that the Assembly concur in Senate amendments.

Striking out section four of the bill as amended in Assembly February 13th, and inserting the following:

"Sec. 4. Not more than one twenty-fourth part of the amount appropriated under this Act for each department or institution for the two years ending June 30, 1897, shall be expended during any one month, unless by consent of the State Board of Examiners."

Recommend that the Assembly concur in Senate amendment.

VOORHEIS.
ORR.
LANGFORD.

MOTIONS.

Senator Voorheis moved that the report of the special committee as read be adopted.

At two o'clock and twenty-five minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Senator Seawell moved as an amendment that the further consideration of the report of the Committee of Conference on Assembly Bill No. 617 be made a special order for to-morrow, at two o'clock p. m.

So ordered.

SPECIAL FILE—ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 19—Proposed amendment to article three, section seven, of the Constitution, relative to corporations.

Passed on file, to retain place, on motion of Senator Burke.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Passed on file.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Read third time.

The question being on the final passage of Assembly Bill No. 117.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Beard, Burke, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Orr, Pedlar, Shine, Shippee, Simpson, Whitehurst, and Withington—23.

NOES—None.

Title read and approved.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Passed on file, at request of Senator Hart.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Passed on file, at request of Senator Pedlar.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Passed on file, at request of Senator Simpson.

Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Passed on file, at request of Senator Burke.

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

On motion of Senator Voorheis, Assembly Constitutional Amendment No. 6 was referred to the Committee on Constitutional Amendments, said committee to report back to-morrow, and the same to retain its place on file.

SECOND READING OF BILL.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Read second time, and ordered on file for third reading.

Assembly Constitutional Amendment No. 7 was read as follows:

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7.

A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments, of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section seven of article six of the Constitution of said State be amended so as to read as follows:

Section 7. In any county, or city and county, other than the City and County of San Francisco, in which there shall be more than one Judge of the Superior Court, the Judges of such Court may hold as many sessions of said Court at the same time as there are Judges thereof, and shall apportion the business among themselves as equally as may be. If at any time there are causes pending at issue, or proceedings pending, in the Superior Court of any county, or city and county, or any department thereof, trial or hearing of which cannot be had within two months after issue joined or proceedings instituted, by reason of the prior pendency of other causes or proceedings undisposed of in such Court or department thereof, it shall be the duty of the presiding Judge of said Court to certify such fact to the Governor, stating in such certificate the number and character of the causes or proceedings so pending, and that it is necessary that one or more Judges be temporarily provided for such Court or department, and estimating the length of time reasonably necessary to dispose of such accumulated business. Thereupon it shall be the duty of the Governor to request one or more Judges of the Superior Court of some other county, or city and county, not materially in arrears with its business, to proceed to such county, or city and county, and to report to such presiding Judge of the Court requiring such assistance. Whereupon, such presiding Judge shall be authorized to establish one or more, or additional, departments of such Court, which additional department or departments shall be presided over by such Judge or Judges so requested by the Governor to act; and while so acting, such additional Judge or Judges shall in all things be deemed to be regular Judges of such Court. In such cases, when Judges are so temporarily acting, the regular presiding Judge of such Court shall apportion the business to the respective departments. The Legislature may provide by general law for the division of the State into judicial districts, embracing two or more counties, or cities and counties, with provision for the organization of the Courts of the respective counties, or cities and counties, comprising such districts, by the election of a presiding Judge of such district; such presiding Judge to assign the respective Judges in such district, to the respective Courts other than that to which they were elected or appointed, as the requirements of the respective counties, or cities and counties, may dictate. In all cases where a Judge or Judges are required to attend and hold Court in any county, or city and county, other than the county, or city and county, in which they are elected or appointed such Judge, the county, or city and county, in which they temporarily hold Court shall pay them the actual amount of money expended by them, for transportation and subsistence, in going to and from, and remaining in, such other county, or city and county, under such direction.

The roll was called, and the Senate refused adoption to Assembly Constitutional Amendment No. 7 by the following vote:

AYES—None.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gileaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

SECOND READING OF BILLS.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, 'and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.'"

During the second reading of the bill, Senator Mathews moved to amend as follows:

By inserting the words "section two" in commencement of last line of the bill.

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Senate Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Bill read second time, and ordered on file for third reading.

MOTION.

Senator Earl moved that Assembly messages be taken up.
So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 369—An Act to amend an Act entitled an Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of collections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 369 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

* MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, has appointed Messrs. Brusie, Bulla, and Laugenour, a committee on the part of the Assembly, to meet a like committee on the part of the Senate, in reference to Assembly Bill No. 617.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also by amending sections three, thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Also: Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Also: Adopted Assembly Joint Resolution No. 12—Joint resolution relative to mines and mining claims situated within the boundaries of the Yosemite National Park.

Also: Assembly Concurrent Resolution No. 18—Relative to a Constitutional Convention.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 982 referred to Committee on Judiciary.

Assembly Bill No. 218 referred to Committee on Public Buildings other than Prison Buildings.

Assembly Joint Resolution No. 12 referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Assembly Concurrent Resolution No. 18 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of March, passed Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

Also: Adopted Senate Concurrent Resolution No. 7—Concurrent resolution relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

Also: Assembly Concurrent Resolution No. 10—Concurrent resolution relative to the protection of salmon in the American, Stanislaus, and Tuolumne Rivers.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 710, 711, and 725 referred to Committee on Finance.

Assembly Bill No. 461 ordered on file, on motion of Senator Earl.

Senate Concurrent Resolution No. 7 ordered to enrollment.

Assembly Concurrent Resolution No. 10 referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth day of March, passed Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Assembly Bill No. 834—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Also: Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Also: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Amended, and passed as amended, Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 600, 616, and 172 referred to Committee on Finance.

Assembly Bill No. 834 ordered on file, on motion of Senator Simpson.

Senate Bills Nos. 291 and 431 ordered to enrollment.

MOTIONS.

Senator Hoyt moved that the Senate do now concur in the following Assembly amendments to Senate Bill No. 239:

Amend by inserting after the word "offense," in section three, line five, the following: "provided, that this Act shall not prohibit any person who has purchased a ticket from any agent authorized by this Act, with the *bona fide* intention of traveling upon the same, from selling or giving any part of the same to any other person."

Also: Amend by striking out of section three, lines two and three, the words "or for any person to purchase or receive from him."

Also: Amend by inserting after the word "not," in line three of section five of printed bill, the words "less than two hundred nor."

Also: Amend by striking out of section four, line ten, the words: "provided, such tariff rates shall not equal the full amount paid for said whole ticket."

Senator Bert moved to amend that the further consideration of Senate Bill No. 239 be made a special order for to-morrow, at two o'clock P. M.

Senator Burke moved as an amendment to the amendment that the further consideration of Senate Bill No. 239 be made a special order for Friday next, at two o'clock P. M.

Amendment to the amendment adopted, and Senate Bill No. 239 made special order for Friday next at two o'clock P. M.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 981 referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

At three o'clock and twenty minutes P. M. Senator Bert was called to the chair.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 189—An Act to amend sections one thousand and ninety-four, one thousand and ninety-five, one thousand and ninety-six, one thousand one hundred, one thousand one hundred and one, one thousand one hundred and three, one thousand one hundred and five, one thousand one hundred and thirteen, one thousand one hundred and fifteen, one thousand one hundred and sixteen, and to repeal sections one thousand and ninety-eight, one thousand and ninety-nine, and one thousand one hundred and fourteen of the Political Code—have had the same under consideration, and respectfully report the same back without recommendation.

ARAM, Chairman.

MOTION.

Senator Gesford moved that Substitute for Senate Bills Nos. 4 and 190 be recalled from the Engrossing Clerk for the purpose of amendment.

So ordered.

Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Senator Gesford moved that Senator Earl be appointed a special committee of one, with instructions to amend Substitute for Senate Bills Nos. 4 and 190 as follows:

Strike out of line one, section one, the words "forty-eight thousand six hundred and sixty-two," and insert in lieu thereof the following: "forty-eight thousand nine hundred and twelve."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Substitute for Senate Bills Nos. 4 and 190, with instructions to amend as per motion of Senator Gesford, respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of special committee of one and amendment adopted.

MOTION.

Senator Androus moved that Senator Pedlar be appointed a special committee of one to amend Substitute for Senate Bills Nos. 4 and 190 as follows:

By striking out of section one, line forty-seven, the words "Los Angeles" and inserting therein the word "Pomona."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Substitute for Senate Bills Nos. 4 and 190, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDLAR, Committee.

Report of special committee of one and amendment adopted.

Bill ordered printed as amended, and on file for passage.

MOTION.

Senator Earl moved that the further consideration of Substitute for Senate Bills Nos. 4 and 190 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL FILE.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed on file.

PASSAGE OF BILL.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

SPECIAL ORDER.

The hour of three o'clock and thirty minutes having arrived, Senator Langford called for the special order heretofore set for this time, viz.: consideration of Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Senator Langford offered the following substitute for Senate Joint Resolution No. 8, and moved its adoption :

SUBSTITUTE FOR SENATE JOINT RESOLUTION No. 8.

Joint resolution asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

WHEREAS, It is of vast interests to the State of California that said island should be under the control of said State for general railroad terminal purposes; and whereas, the said island is not now of use to the harbor of San Francisco, or the Government of the United States, either for military or naval defense, owing to its exposed position and the general use of long-distance ordnance by the naval powers of the earth.

Resolved by the Senate, the Assembly concurring. That our Senators in Congress be instructed, and our Representatives requested, to urge the Congress of the United States to cede to the State of California, subject to all military and naval purposes of the United States, the said island of "Yerba Buena," commonly known as "Goat Island," situate in the bay of San Francisco, to be held by said State as an irrevocable trust, however, and without power of sale or transfer, and to be used by said State solely and only for terminal purposes for all railroads, on equal terms nevertheless.

Resolved, That His Excellency the Governor of California be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

Upon the question of the adoption of Substitute for Senate Joint Resolution No. 8 the roll was called, and Substitute for Senate Joint Resolution No. 8 was adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Dunn, Earl, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Pedlar, Seawell, Seymour, Shine, Smith, and Voorheis—22.

NOES—Senators Burke, Fay, Gesford, Mahoney, McAllister, Whitehurst, and Withington—7.

Substitute for Senate Joint Resolution No. 8 ordered printed.

THIRD READING OF BILL.

Senate Bill No. 60—An Act empowering the State Board of Harbor Commissioners to lay out and improve certain property on the west side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Read third time.

The question being on the passage of Senate Bill No. 60.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Flint, Ford, Gleaves, Hart, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Voorheis, and Whitehurst—23.

NOES—Senators Dunn, Fay, Toner, and Withington—4.

Title read and approved.

At four o'clock and five minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

SPECIAL ORDER.

The hour having arrived, Senator Ford called for the special order heretofore set for this time, viz.: consideration of Senate Bill No. 709.

CASE OF URGENCY—THIRD READING OF BILL.

Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the water front of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889.

Read third time.

The question being on the passage of Senate Bill No. 709.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Langford, Linder, Mahoney, Martin, McAllister, Pedlar, Seawell, Shine, Smith, Voorheis, Whitehurst, and Withington—25.

NOES—Senators Dunn, Seymour, and Toner—3.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Also: Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the west-

erly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

SMITH, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Also: Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

SPECIAL ORDERS—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Read third time.

The question being on the passage of Senate Bill No. 62.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Langford, Linder, Mathews, Pedlar, Seymour, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—22.

NOES—Senators Dunn, Fay, and Withington—3.

Title read and approved.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Read third time.

The question being on the passage of Senate Bill No. 61.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Seawell, Shine, Simpson, Toner, Voorheis, and Whitehurst—27.

NOES—Senators Fay and Withington—2.

Title read and approved.

Senator Ford moved that the further consideration of Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate—and Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one

hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893—set as special orders for this afternoon, be postponed and made special orders for to-morrow morning, immediately after reading Journal, to follow special orders already set for that hour.

So ordered.

Senator McGowan moved that the further consideration of Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice—be postponed, and made a special order for to-morrow, at four o'clock P. M.

So ordered.

Senator Langford moved that the Senate take up Senate Bill No. 787, and read same first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Read first time, and ordered on file for second reading.

Senator Langford moved that the further consideration of Senate Bill No. 787 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State; for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Also: Senate Bill No. 860—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

MOTION.

Senator Gesford moved that the Senate take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 5, 1895. }

To the Senate of the State of California:

In pursuance of a resolution passed by your honorable body, March 4, 1895, I herewith return Senate Bills Nos. 55 and 182 for action by the Senate upon the Assembly amendments thereto.

JAMES H. BUDD, Governor.

Senator Gesford moved that Senate Bills Nos. 55 and 182 be immediately transmitted to the Assembly, that the proper indorsements of the action of the Assembly may be made thereon, and that they may be correctly reported to this Senate.

So ordered.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 5, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 198 and 24.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 5, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 785.

JAMES H. BUDD, Governor.

RECESS.

At five o'clock p. m. the President pro tem. declared a recess until seven o'clock and thirty minutes p. m., on motion of Senator McGowan.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 643—An Act appropriating money to pay the claim of the State Agricultural Society—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 834—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employés for the forty-seventh and forty-eighth

fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 520—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith.

Also: Senate Bill No. 31—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Also: Senate Bill No. 622—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Also: Senate Bill No. 463—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Have had the same under consideration, and respectfully report the same back with-out recommendation.

Also: Senate Bill No. 856—An Act to provide for the repayment of the purchase price of salt marsh lands, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 861—An Act to amend the Civil Code, by adding to chapter three, of title three, of part one, of division four, a section to be numbered three thousand four hundred and twenty-four, concerning equitable relief in cases of a multiplicity of statutory penalties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, amending section twelve of article eleven thereof, relative to revenues and taxation, and license—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 11—Proposing an amendment to section one, article eleven, of the Constitution, in relation to the right of suffrage—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of thirty-five dollars and fifty-eight cents in favor of F. J. Brandon, Secretary of the Senate, for the cost of telegraphing resolution to Congress under order of the Senate, said warrant to be drawn on the fund for the contingent expenses of the Senate.

F. J. BRANDON, *Secretary of Senate, to Pacific Postal Telegraph-Cable Co., Dr.:*

February 25—Telegraphing to Hon. C. F. Crisp, Washington, D. C. \$35 58

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 9—An Act to appropriate money for the payment of the claims of Francis O'Hara and Richard Walsh, under the provisions of an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April 27, 1863.

Also: Senate Bill No. 83—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 817—An Act for the benefit of Robert B. Young, for work done upon the buildings of the Whittier State School, at Whittier, California, and for money expended in paying for insurance on the same, and to make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FRANCK, Chairman.

Senate Bills Nos. 798, 9, 83, and 817 referred to Committee on Finance.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

SPECIAL ORDER.

The President pro tem. announced for consideration the special order heretofore set for this time, namely, consideration of Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties; for locating the county seats; for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

The bill having been read the third time on a previous day, the question was on its passage.

At eight o'clock P. M. Senator Bert was called to the chair.

The roll was called, and Senate Bill No. 465 refused passage by the following vote:

AYES—Senators Arms, Denison, Fay, Ford, Gleaves, Hoyt, Linder, Mathews, McAllister, McGowan, Pedlar, Smith, and Withington—13.

NOES—Senators Androus, Beard, Burke, Dunn, Earl, Flint, Franck, Henderson, Holloway, Langford, Mahoney, Martin, Seawell, Seymour, Shine, Shippee, Toner, and Whitehurst—18.

Senators Gesford, Simpson, and Voorheis were excused from voting, by unanimous consent of the Senate.

NOTICE OF RECONSIDERATION.

Senator Earl gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 465 this day failed in receiving the necessary constitutional vote.

SPECIAL URGENCY FILE.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file, at request of Senator Bert.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

MOTION.

Senator Flint moved that Senate Bill No. 275 be recalled from the printer, so as to permit of further amendments on its second reading.

So ordered.

Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Senator Gleaves moved to amend as follows:

By striking out of section one, line seven, the words "and while the right to collect toll thereon has at least twenty years to run."

Adopted.

Also: Amend by striking out of section one, line ten, the words "the seventh," and inserting "one" in lieu thereof.

Adopted.

Bill ordered printed as amended, and on special urgency file for third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Franck, Senate Bill No. 498—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to sales by Commissioner, under decree of foreclosure of mortgage—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 780 was substituted therefor on the file.

RESOLUTION.

By Senator Franck:

Resolved, That Senate Bill No. 780, number seventy-three on file, presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 780 declared a case of urgency by the following vote:

AYES.—Senators Aram, Androus, Bert, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—29.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Passed on file.

PASSAGE OF BILL.

Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Bert, Burke, Earl, Fay, Flint, Ford, Franck, Gesford, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Pedlar, Shippee, Simpson, Smith, Whitehurst, and Withington—22.

NOES—Senators Dunn, Hart, Henderson, Seymour, Shine, and Toner—6.

Title read and approved.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 695 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

The roll was called, and Assembly Bill No. 695 declared a case of urgency by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Shine, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—Senators Holloway, McGowan, and Toner—3.

CASE OF URGENCY—THIRD READING OF BILL.

Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Read third time.

The question being on the final passage of Assembly Bill No. 695.

The roll was called, and the bill refused final passage by the following vote:

AYES—Senators Arms, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Holloway, Hoyt, Linder, Martin, McAllister, Seymour, Simpson, and Withington—17.

NOES—Senators Androus, Dunn, Gesford, Hart, Henderson, Mathews, Pedlar, Shine, Toner, Voorheis, and Whitehurst—11.

Senator Smith was excused from voting, by unanimous consent of the Senate.

NOTICE OF RECONSIDERATION.

Senator Voorheis gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 695 this day failed in receiving the necessary constitutional vote.

Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary; and to appropriate money therefor.

Passed on file, at request of Senator Ford.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 222—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight, of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State lands.

Also: Senate Bill No. 333—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Also: Senate Bill No. 344—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Also: Senate Bill No. 343—An Act to amend section one thousand four hundred and seventy-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Also: Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent, interest parties, discharge of executors or administrators.

Also: Senate Bill No. 341—An Act to amend section two hundred and eighteen of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Also: Senate Bill No. 567—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Also: Senate Bill No. 353—An Act to appropriate the sum of three hundred dollars, to pay the claim of A. L. Wood for the capture of Francisco Torres.

Also: Senate Bill No. 305—An Act to prevent fraudulent or wash sales of goods sold on commission, and to prevent dishonest returns of sales, and to provide a punishment therefor.

Also: Senate Bill No. 406—An Act appropriating money to pay the claim of T. Carl Spelling for legal services.

Also: Senate Bill No. 510—An Act prohibiting the use of barbed wire fence along public highways.

Also: Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Also: Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District Number Two, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Also: Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Also: Senate Bill No. 557—An Act to regulate the price of telegraph messages in the State of California.

Also: Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Also: Senate Bill No. 202—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter.

Also: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Substitute for Senate Bill No. 2—An Act to appropriate one thousand one hundred dollars to pay the claims of D. H. Wyckoff and others, for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

Also: Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Also: Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Also: Senate Bill No. 788—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Also: Senate Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Also: Senate Bill No. 792—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Also: Senate Bill No. 428—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Also: Senate Bill No. 838—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hun-

dred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Also: Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes.

Also: Senate Bill No. 134—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter, for the years eighteen hundred and ninety, eighteen hundred and ninety-two, and eighteen hundred and ninety-three.

Also: Senate Bill No. 672—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Senate Bill No. 27—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Also: Senate Bill No. 674—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 489—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: 1. Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Also: Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers, in all municipal corporations of the third and fourth classes in the State of California.

Also: Committee Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

SMITH, Chairman.

SPECIAL URGENCY FILE—(RESUMED)—THIRD READING OF BILL.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

The question being on the passage of Senate Bill No. 153.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Beard, Bert, Burke, Denison, Earl, Fay, Franck, Gesford, Gleaves, Mahoney, Mathews, McAllister, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—21.

NOES—Senators Aram, Androus, Ford, Hart, Holloway, Martin, McGowan, Seymour, and Shine—9.

Senator Hoyt was excused from voting, by unanimous consent of the Senate.

NOTICE OF RECONSIDERATION.

Senator Ford gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 153 this day failed in receiving the necessary constitutional vote.

Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiatt, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Passed on file, to retain its place, on motion of Senator Shippee.

Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Passed on file, to retain its place, on motion of Senator Smith.

Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same.

Passed on file, to retain its place, on motion of Senator Seymour.

SECOND READING OF BILL.

Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instruments of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

During the second reading of the bill, the following amendment was submitted by Senator Seawell:

Amend by striking out of section one, line seven, the words "for compensation."

Adopted.

Bill read second time, ordered printed as amended, considered engrossed, and on special urgency file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 605—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

MOTION.

Senator Ford moved that Senate Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary; and to appropriate money therefor—be re-referred to Committee on Finance, but to retain its place on file.
So ordered.

SPECIAL URGENCY FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Read second time.

Senator Seawell moved to amend the bill as follows:

Amend by inserting before the word "section," in line one of said bill, the following: "Section 1. There is hereby added to the Penal Code of the State of California a new section, to be numbered section two hundred and fifteen, to read as follows."

Adopted.

Bill ordered printed as amended, considered engrossed, and on special urgency file for third reading.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Senator McGowan, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Substitute for Senate Bill No. 544—An Act to amend the Penal Code, by adding two new sections, to be known as one thousand and eighty-nine and one thousand and

ninety, of the Penal Code of the State of California, relative to substitute jurors—was passed on said day, moved that the reconsideration be postponed and made a special order for to-morrow, at four o'clock P. M.

So ordered.

Senator Bert, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—was passed on said day, moved that the reconsideration be postponed and made a special order for to-morrow, at four o'clock P. M., to follow other special orders set for that hour.

So ordered.

Senator Smith moved that Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses—be re-referred to Committee on Finance, said committee to report said bill back to-morrow.

So ordered.

ADJOURNMENT.

At nine o'clock and forty minutes P. M., on motion of Senator Shippee, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 6, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Dunn.

MOTION.

Senator Withington moved that Senate Bill No. 807—An Act to establish a uniform system of county and township governments—heretofore made a special order for Thursday next, immediately after reading Journal, be postponed and made a special order for Friday next, immediately after reading Journal.

So ordered.

SPECIAL ORDERS—THIRD READING OF BILLS.

Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Read third time.

The question being on the passage of Senate Bill No. 53.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gileaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

Title read and approved.

Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Read third time.

The question being on the passage of Senate Bill No. 59.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gileaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

Title read and approved.

Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Bill read third time.

The question being on the passage of Senate Bill No. 646.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gileaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

At ten o'clock and forty minutes A. M. Senator Bert was called to the chair.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Read third time.

The question being on the passage of Senate Bill No. 194.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Denison, Earl, Flint, Ford, Gesford, Hart, Holloway, Hoyt, Langford, Martin, Mathews, McGowan, Seawell, Shine, Simpson, Voorheis, and Withington—22.

NOES—Senators Aram, Burke, Dunn, Fay, Franck, Gileaves, Henderson, Linder, McAllister, Mitchell, Orr, Pedlar, Seymour, Smith, Toner, and Whitehurst—16.

Title read and approved.

Senate Bill No. 193—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California.

Read third time.

The question being on the passage of Senate Bill No. 193.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Androus, Bert, Biggy, Denison, Ford, Hart, Holloway, Hoyt, Langford, Martin, Mathews, Seawell, Shine, and Voorheis—14.

NOES—Senators Aram, Beard, Burke, Dunn, Fay, Franck, Gleaves, Henderson, Linder, McAllister, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—20.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric light plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Passed on file.

Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same.

Passed on file.

Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Read third time.

The question being on the passage of Senate Bill No. 402.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Linder, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—Senators Gleaves and Martin—2.

Title read and approved.

President pro tem. Hon. Thomas Flint, Jr., in the chair.

SECOND READING OF BILL.

Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Senator Ford, by unanimous consent, withdrew his notice of motion to reconsider the vote whereby the amendment to Senate Bill No. 852 was, on a previous day, refused adoption.

Bill read second time, ordered engrossed, and on file for third reading.

PETITION.

The following petition was presented by Senator Gleaves, and ordered printed in the Journal.

From D. C. Jordan and forty-three others of Cottonwood, Shasta County, the following:

To the Honorable Legislature of the State of California:

The undersigned, having learned with deep solicitude that it is proposed to ask your honorable body to enact a uniform liquor license law, whereby our present local option right, as lodged with counties and municipalities, would be repealed, do most earnestly request that no such change be made; but instead that all be done to strengthen and simplify our present right of local government of the liquor traffic, and your petitioners shall ever so pray.

Also from the same place, signed by Walter C. White and fifty-nine others, the following:

To the California Senate of 1895:

We, the undersigned citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Also: A like petition by Senator Withington, signed by G. O. Thomas and ninety-one others.

Also: A like petition by Senator Orr, signed by J. A. Walker and ninety-seven others of Ventura.

Also: Like petitions by Senator Seymour, one signed by Ed. Gains and sixty-seven others, from San Jacinto.

Also: One from Cucamonga, signed by H. L. Salsbury and twenty-five others.

Also: A like petition by Senator Androus, from Whittier, signed by Olive J. Edwards and forty-five others.

The following telegram was presented by President pro tem. Hon. Thomas Flint, Jr., and read:

SAN FRANCISCO, March 6, 1895.

To the Honorable President of the Senate, Sacramento:

The undersigned committee, representing the commercial organizations and mercantile interests of San Francisco, earnestly and emphatically protest against the passage of Senate Bill No. 852, whereby thirty of forty thousand dollars annually will be diverted from the municipal treasury to an official who already receives a stated salary of eight thousand dollars per annum; twice as much as Superior Judges receive, and more than any judicial officer in the State.

Our municipality is at present in urgent need of the moneys which this bill would deprive the treasury of. Any alleged hardships in the enforcement of the present Act can be easily remedied by providing for Deputy Treasurers in the Sheriffs' and Clerks' offices, as per bill now before you.

As the representatives of vast business interests and property rights of great magnitude in San Francisco, we earnestly petition your honorable body to defeat Senate Bill No. 852, and we further respectfully request that this petition be entered in your Journal.

WALTER M. CASTLE,
HUGH CRAIG,
ARTHUR G. TOWNE,

Committee representing Chamber of Commerce of San Francisco.

GEO. T. HAWLEY,
M. P. JONES,
ALFRED J. MARCUS,

Committee representing Board of Trade of San Francisco.

RESOLUTION—(OUT OF ORDER).

By Senator Earl:

Resolved, That Senate Bill No. 846 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 846 declared a case of urgency by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gileaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—None.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of California, relating to public schools.

Read first and second times, considered engrossed, and on motion of Senator Earl made a special order for to-morrow, immediately after reading of Journal.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 567, amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Judiciary Committee substitute for Senate Bill No. 284—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, for the appointment of the members of said commission, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION.

By Senator Gleaves:

Resolved, That the provisions of the Constitution (section two, article four), relating to the time when bills may be introduced, are hereby suspended, and permission is hereby granted to introduce Senate Joint Resolution No. 17.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended by the following vote:

AYES—Senators Androus, Beard, Burke, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—28.

NOES—None.

INTRODUCTION OF SENATE JOINT RESOLUTION.

By Senator Gleaves: Senate Joint Resolution No. 17—Relative to expending moneys now available for the improvement of our navigable rivers, by the National Government.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That the Senate Pages be excused from duty Thursday evening for the purpose of holding a banquet.

Adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria antitoxine, and to appropriate six thousand dollars therefor.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Also: Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Also: Senate Bill No. 195—An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills No. 201, 183, 184, 6, 417, and 195 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on February twentieth, amended, and passed as amended, Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

These bills were incorrectly reported to your honorable body as having been passed without amendment, and your attention is called to this error, that proper proceedings may be taken to correct the same, by recalling the said bills from the Governor, and from enrollment.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Also: On February twentieth, amended, and passed as amended, Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

S. J. DUCKWORTH, Chief Clerk.

Upon the question of the concurrence by the Senate in the following Assembly amendment to Senate Bill No. 504:

Amend by inserting at the end of section one: "But no such claim shall be paid out of said appropriation, except the same shall be first examined, audited, and allowed by the State Board of Examiners, which Board is hereby directed to make full investigation into the same."

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

Senate Bill No. 504 ordered reëngrossed and reënrolled.

Upon the question of the concurrence by the Senate in the following Assembly amendments to Senate Bill No. 182:

Amend by striking out of section one, line six, the words "in each month," and also the word "the" after the word "in," and insert the following: "in January and July in each year," after the word "Monday," and the words "each of such," after the word "in," and add the letter "s" to the word "estate."

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—33.

NOES—None.

Senate Bill No. 182 ordered reëngrossed and reënrolled.

Upon the question of the concurrence by the Senate in the following Assembly amendments to Senate Bill No. 55:

Amend by inserting the following: "Sec. 2. This Act shall take effect six months after its passage."

The roll was called and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—Senator Langford—1.

Senate Bill No. 55 ordered reëngrossed and reënrolled.

Also.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dip-somaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Also: Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Also: Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Also: Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills No. 281, 519, 229, 152, and 570 ordered to enrollment.

MOTION.

On motion of Senator Withington, Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State,—was made a special order for to-day, at two o'clock P. M., to follow other special orders set for that hour.

SPECIAL FILE.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed on file, at request of Senator Biggy.

Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Read third time.

MOTION.

Senator Burke moved that Senator Simpson be appointed a special committee of one, with instructions to amend Senate Bill No. 699, as follows:

Strike out "sixteen hundred" in section one, line two, and insert "twelve hundred" in lieu thereof.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 699, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Burke moved that Senator Simpson be appointed a special committee of one, with instructions to amend Senate Bill No. 699, as follows:

Amend by striking out of section two, line two, the words: "three thousand two hundred" and insert in lieu thereof "twenty-four hundred."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 699, with instructions to amend, respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended, and to retain its place on file for final passage, on motion of Senator Orr.

CORRECTION OF JOURNAL.

Senator Simpson moved that the Journal of March 5, 1895, be corrected on page thirty-five, so that it will read as follows: "Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

"Read third time.

"The question being on the passage of Senate Bill No. 153.

"The roll was called, and the bill passed by the following vote."

So ordered.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRESENTATION.

Senator Earl addressed President pro tem. Hon. Thomas Flint, Jr., as follows:

MR. PRESIDENT: The Sergeant-at-Arms is recognized as your chief executive officer, taking from your honored self, orders and instructions, which it is his duty to give, and which it is the duty of every Senator instantly to obey, without inquiry as to whether they have emanated from you or not. The Sergeant-at-Arms has directed me at this time to present you with this gavel, and without inquiring as to whether this direction has come from a higher source, I shall proceed at once to obey the mandate.

This gavel, I am told, is made from wood taken from that tree under whose shadow lies the grave of Washington, and through whose branches the breeze is ever singing a requiem to the patriot dead. The wood is laurel, and in that connection, I am directed to recall to your mind the fact that the ancient Greeks crowned with laurel wreaths those who won victories, or who had otherwise greatly distinguished themselves. Preserving the thought but not the form, I am directed, and it is my very great pleasure, to present to you this laurel gavel, as an expression of appreciation and a well-merited witness of the very able manner in which you have discharged the duties of presidency of this Senate.

The President pro tem., in fitting terms and with thanks, accepted the same.

Hon. James Sheakley, Governor of the Territory of Alaska, was introduced to the Senate by the President pro tem.

MOTION.

Senator Hart moved that Senate Bill No. 476, number three hundred and five on file, and Senate Bills Nos. 643, 834, and 520, being five hundred, five hundred and one, and five hundred and two on file, be placed on the special file, as they carry appropriations.

So ordered.

Senator Beard, in compliance with notice, given yesterday, to move a reconsideration of the vote whereby Assembly Bill No. 695 was refused final passage, moved that the vote be now reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.
NOES—None.

FINAL PASSAGE OF BILL.

Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

The question being on the final passage of Assembly Bill No. 695.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Dunn—1.

Title read and approved.

LEAVE OF ABSENCE.

Senator Burke was granted a leave of absence for the day, on motion of Senator Whitehurst.

SPECIAL ORDERS.

Senator Seawell moved that the consideration of Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—be postponed and made a special order for to-day, to follow consideration of Assembly Bills on special file.

So ordered.

Senator Seawell moved that the further consideration of Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—be postponed and made a special order for to-morrow, at two o'clock P. M.

So ordered.

Senator Voorheis moved that the Senate take up the report of Committee of Conference on Assembly Bill No. 617, and moved that the report of said committee be adopted.

The roll was called, and the report of the Committee of Conference rejected by the following vote:

AYES—Senators Aram, Arms, Beard, Denison, Flint, Franck, Gleaves, Hoyt, Langford, McGowan, Orr, Seymour, Shippee, Voorheis, and Whitehurst—15.

NOES—Senators Androus, Bert, Biggy, Dunn, Earl, Fay, Gesford, Henderson, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Pedlar, Seawell, Shine, Simpson, Smith, Toner, and Withington—21.

At three o'clock and twenty minutes P. M. Senator McGowan was called to the chair.

Senator Voorheis moved that the report of the Committee of Conference on Assembly Bill No. 617 be adopted, with the following exceptions:

For support of Insane Asylum at Napa, four hundred thousand dollars.

For support of Mendocino Asylum, one hundred and eighty thousand six hundred and seventy-five dollars.

For armory rents and other expenses of the National Guard, including the Naval Brigade, two hundred and twenty-five thousand dollars.

For purchase of periodicals, scientific apparatus, and use of library, museum, and furniture at San José Normal School, seven thousand dollars.

On motion of Senator Hart, the special orders set for this hour, viz.: Senate Bills Nos. 314 and 554, were continued until matter under discussion was disposed of.

The roll was called, and the report of the Committee of Conference, with the exception of the above named items, was adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Flint, Ford, Franck, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—26.

NOES—Senators Arms, Fay, McAllister, and Withington—4.

Senator Voorheis moved that a Committee of Free Conference on Assembly Bill No. 617, to consist of three members from each house, be appointed, and that the Assembly be notified of the action of this house in relation to the same.

So ordered.

The Acting President appointed as such committee Senators Beard, Ford, and Whitehurst.

Senator Earl, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 465—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties—was refused passage, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Arms, Beard, Bert, Denison, Earl, Fay, Ford, Gleaves, Hoyt, Linder, Mathews, McAllister, McGowan, Pedlar, Simpson, Smith, and Withington—17.

NOES—Senators Androus, Dunn, Flint, Franck, Hart, Henderson, Holloway, Langford, Mahoney, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Toner, Voorheis, and Whitehurst—18.

Senators Aram, Biggy, and Gesford were excused from voting, by unanimous consent of the Senate.

At three o'clock and forty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

REPORTS OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric light plant therein; to provide accommodations for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Also: Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Also: Senate Bill No. 118—An Act making an appropriation to pay Charles Phipps, for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Also: Senate Bill No. 105—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

SMITH, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 607—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor.

Also: Senate Bill No. 347—An Act entitled "An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law."

Also: Senate Concurrent Resolution No. 8—Relative to the charter of the town of Berkeley, Alameda County.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

MOTIONS.

Senator Androus moved that the consideration of Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same, be made a special order for to-morrow, after reading the Journal.

Senator Ford moved as an amendment that the consideration of Senate Bill No. 449 be made a special order for to-morrow, to precede special orders already set for consideration, immediately after the reading of the Journal.

Amendment accepted and motion carried.

At three o'clock and fifty minutes P. M., Senator Bert was called to the chair.

SPECIAL ORDER.

The hour having arrived, Senator Seawell called for the special order heretofore set for this time, viz.: consideration of Senate Bill No. 129.

Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

The bill having been read the third time on a previous day, the question was on its passage.

CALL OF THE SENATE.

Before the roll was called Senator Seawell moved a call of the Senate. So ordered.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary announced that Senators Mahoney and Shippee were the only absentees without leave. The Acting President directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Gleaves moved that further proceedings under the call of the Senate be dispensed with.

Lost.

At four o'clock and ten minutes P. M., Senator Gleaves moved to adjourn.

Lost.

Senator Gleaves moved that further proceedings under the call of the Senate be dispensed with.

Lost.

At four o'clock and twelve minutes P. M., Senator Gleaves moved to adjourn.

Lost.

Senator Gleaves moved that further proceedings under the call of the Senate be dispensed with.

Lost.

At four o'clock and twenty minutes P. M., Senator Earl moved to adjourn.

Lost.

Senator Beard moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Acting President then directed the Sergeant-at-Arms to open the doors.

At four o'clock and twenty-two minutes P. M., President pro tem. Hon. Thos. Flint, Jr., resumed the chair.

The question being on the passage of Senate Bill No. 129.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Ford, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Mitchell, Seawell, Seymour, Shine, Smith, Voorheis, and Whitehurst—25.

NOES—Senators Earl, Franck, Gleaves, Orr, Pedlar, and Toner—6.

Title read and approved.

Senator McGowan moved that the consideration of Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice—be postponed, and made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator Earl moved that the consideration of Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the payment for the adver-

tising of the constitutional amendments, and to make an appropriation therefor—be postponed and made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator Ford moved that the reconsideration of the vote by which Senate Concurrent Resolution No. 10—Relative to adjournment *sine die*—was carried, be postponed and made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

CORRECTION OF JOURNAL.

Senator Ford moved that the Journal of yesterday be corrected by expunging the following from page thirty-six:

NOTICE OF RECONSIDERATION.

Senator Ford gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 153 this day failed in receiving the necessary constitutional vote.

For the reason that such notice of motion to reconsider was made upon a mistaken announcement that such bill was refused passage, which mistake was this day corrected.

Senator McGowan moved as a substitute that the Senate now reconsider the vote whereby Senate Bill No. 153 was passed on yesterday.

At five o'clock P. M. Senator Ford was called to the chair.

MOTION.

Senator Orr moved that the consideration of the motion to reconsider the vote whereby Senate Bill No. 153 was passed, be made a special order for Friday next, at three o'clock and thirty minutes P. M.

AYES AND NOES.

Upon this motion the ayes and noes were demanded by Senators McGowan, Seymour, and Mahoney.

The roll was called, and the motion lost by the following vote:

AYES—Senators Aram, Denison, Dunn, Ford, Hart, Langford, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Shine, and Voorheis—14.

NOES—Senators Arms, Androus, Beard, Bert, Earl, Fay, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Mathews, McAllister, Pedlar, Seawell, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—22.

The question being, "Shall the vote whereby Senate Bill No. 153 was passed on yesterday be reconsidered?"

The roll was called, and the motion to reconsider lost by the following vote.

AYES—Senators Aram, Denison, Ford, Holloway, Hoyt, Langford, Martin, McGowan, Orr, Voorheis, and Whitehurst—11.

NOES—Senators Arms, Androus, Beard, Bert, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Henderson, Linder, Mathews, McAllister, Mitchell, Pedlar, Seymour, Simpson, Smith, Toner, and Withington—21.

MOTION.

Senator McAllister moved that Senate Bill No. 787 be now read second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

During the second reading of the bill, the following substitute, suggested by the committee, was read:

SUBSTITUTE FOR SENATE BILL No. 787.

An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

WHEREAS, It has been and now is the policy of the State of California to encourage the viticultural industries of the State; and whereas, the Board of State Viticultural Commissioners has been empowered by the several Acts of the Legislature of the State of California to perform certain duties for the encouragement of these industries; and whereas, the University of California is fully empowered to continue the work; now, therefore,

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections one, two, three, four, five, six, seven, and ten of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April fifteenth, eighteen hundred and eighty; also, an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture," approved March fourth, eighteen hundred and eighty-one; also, an Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February twenty-sixth, eighteen hundred and eighty-five, are hereby repealed. All Acts and parts of Acts prescribing the duties of the University of California remain in force. The provisions of this section shall take effect and be in force on the thirty-first day of December, Anno Domini eighteen hundred and ninety-five.

SEC. 2. The Board of State Viticultural Commissioners is hereby directed to proceed to complete all unfinished work which it has heretofore undertaken, and to perform such other duties as the laws now require: *provided, however*, that no new work, or investigations, shall be undertaken which cannot be completed before the time specified in section one of this Act; *provided further*, that no further obligations calling upon the State for support shall be created.

SEC. 3. The said Board is hereby directed to transfer, on or before the thirty-first day of December, Anno Domini eighteen hundred and ninety-five, all property in its possession, or under its control, belonging to the State, to the Regents of the University of California, for the further promotion of the viticultural industries of the State.

SEC. 4. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, for the uses of said Regents of the University of California, for the forty-seventh and forty-eighth fiscal years, the sum of five thousand dollars.

Substitute for Senate Bill No. 787 adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senator Withington moved that the consideration of Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State—be postponed and made a special order for to-morrow, at two o'clock P. M.

So ordered.

Senator Hart moved that the consideration of Senate Bill No. 314—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the

payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax—and Senate Bill No. 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys—be reset and made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTIONS.

By Senator Hart:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of twenty-one dollars and ninety cents, per vouchers hereto attached, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

SACRAMENTO, March 4, 1895.

State of California to L. F. BLACKBURN, Sergeant-at-Arms, Senate, Dr.:

Union Ice Company, 1,400 pounds ice, at 1 cent.....	\$14 00
Mrs. McCall, washing towels.....	5 00
L. F. Blackburn, for serving subpoenas, as follows:	
Dr. J. G. Fay, Seventh and I Streets, Sacramento.....	1 00
Geo. H. Clark, 1017 Fourth Street.....	1 00
Error, last bill.....	90
Total.....	\$21 90

Above services were performed in the case of W. G. Hall vs. the State of California, under consideration by Committee on Claims, Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Mathews:

Resolved, That the provisions of the Constitution (section two, article four) relating to the time when bills may be introduced are hereby suspended, and permission is hereby granted to introduce Senate Bill No. 884.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Ford, Franck, Gesford, Gleave, Hart, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Pedlar, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—28.
 NOES—Senator McGowan—1.

INTRODUCTION OF BILL.

The following bill was introduced and read by title:

By Senator Mathews: Senate Bill No. 884—An Act to amend an Act entitled “An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,” approved March —, 1895, by adding a new section thereto, to be known as section one and one half.

MOTION.

Senator Mathews moved that Senate Bill No. 884 be now read the first time, placed on file, and referred to committee.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 884—An Act to amend an Act entitled "An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor," approved March —, 1895, by adding a new section thereto, to be known as section one and one half.

Read first time, and referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

AMENDMENT TO THE RULES.

Senator Bert, in compliance with his notice given on a previous day, moved to amend Rule 34 of Standing Rules of the Senate, to read as follows:

CASES NOT PROVIDED FOR, CROCKER TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Crocker's Principles of Procedure in Legislative Bodies.

The roll was called, and the motion to amend the rules carried by the following vote:

AYES—Senators Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Ford, Franck, Hart, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Pedlar, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—Senator Smith—1.

At five o'clock and thirty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

MOTION.

Senator Langford moved that the consideration of Senate Bill No. 787 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Pedlar:

Resolved, That from and after Friday, March 8th, the Senate shall dispense with all attachés of this body not actually necessary for the transaction of its further business, and the Committee on Attachés, Contingent Expenses, and Mileage is hereby instructed to report to the Senate on Friday next the particular attachés whose services are no longer required at this session.

The services of all attachés so reported to the Senate shall be discontinued from and after Friday, March 8th, and their per diem shall then cease.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator McAllister:

Resolved, That the State Printer be directed to have the Senate file ready for distribution in the Senate Chamber each morning at nine o'clock during the remainder of the session.

Adopted.

By Senator Mahoney:

Resolved, That J. McAuliffe be and he is hereby allowed the sum of forty-five dollars for nine days' services as Assistant File Clerk to the Senate from January 7th to Jan-

uary 16th, payable out of the fund for contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is ordered to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Voorheis moved that the consideration of Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894—be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

RECESS.

At five o'clock and fifty-five minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M., on motion of Senator Earl.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

MOTION.

Senator Holloway asked unanimous consent of the Senate to consider Senate Bill No. 473.

Granted.

THIRD READING OF BILL.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric light plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Read third time.

The question being on the passage of Senate Bill No. 473.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Simpson, Smith, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

MOTION.

Senator Seymour moved that Assembly messages be taken up and read.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifth day of March, passed Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Also: Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 152 referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Assembly Bill No. 714 referred to Committee on Public and Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California, or the Preston School of Industry at Ione.

Also: Passed Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Voorheis moved that the Senate concur in the following Assembly amendments to Senate Bill No. 462:

Amend by inserting in section one, line two, after the word "Whittier," the words "or Preston School of Industry at Ione."

Also: Amend by inserting in section two, line one, after the word "Whittier," the words "or Preston School of Industry at Ione."

Also: Amend by inserting in section three, line three, after the word "school," the words "or Preston School of Industry at Ione."

Also: Amend by striking out of section three, lines four and five, the words "Superintendent or other officers in charge of said school," and inserting the following: "Superintendents or other officers in charge of said schools."

Also: Amend by inserting in section four, after line two, after the word "school," the words "or Preston School of Industry at Ione."

Also: Amend by striking out of section four, line three, the word "Superintendent," and inserting the following: "Superintendents."

Also: Amend by striking out of section four, line three, the word "school," and inserting the following: "schools."

Also: Amend by striking out of section four, line seven, the word "Superintendent," and inserting the following: "Superintendents."

Also: Amend by inserting in section four, line seven, after the word "school," the words "or Preston School of Industry at Ione."

Also: Amend section five, line two, after the word "school," and inserting the words "or Preston School of Industry at Ione."

Also: Amend by striking out of section five, line three, the words "Superintendent of the said school," and inserting the following: "Superintendents of said schools."

Also: Amend the title to Senate Bill No. 462, by adding the words "or the Preston School of Industry at Ione."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 462?"

under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 613—An Act authorizing and directing the Governor of the State of California to pay the traveling expenses of the River and Harbor Committee of the House of Representatives of the United States, if the same should visit California, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Smith:

Resolved, That Senate Bill No. 806 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times and placed upon its passage.

The roll was called, and Senate Bill No. 806 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Andrews, Beard, Biggy, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

At eight o'clock and twenty-five minutes P. M. Senator Ford was called to the chair.

MOTION.

On motion of Senator Smith, Senate Bill No. 806 was referred to Committee on Finance, to report same back to-morrow.

LEAVE OF ABSENCE.

At eight o'clock and thirty minutes P. M. the Finance Committee was granted leave of absence for the evening, on motion of Senator Voorheis.

SPECIAL URGENCY FILE.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Passed on file.

Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reform-

ing the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary, and to appropriate money therefor.

Passed on file.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Read second time, considered engrossed, and read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Read first time.

During the second reading of the bill, the following amendments, suggested by the committee, were read:

Amend section fifteen, line one, by inserting after the word "existence," the words "which shall be two years after its organization."

Adopted.

Also: Amend section sixteen, line four, by inserting the following after the word "same": "Said appropriation shall cover all the expenses of the Bureau of Highways, and in no case shall an indebtedness over and above the amount so appropriated, be created or allowed. One half of the appropriation herein made shall be available during the forty-seventh fiscal year, and the other half during the forty-eighth fiscal year."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same.

Passed on file, at request of Senator Seymour.

THIRD READING OF BILLS.

Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Su-

perintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instruments of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Read third time.

The question being on the passage of Senate Bill No. 446.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Dunn, Earl, Fay, Franck, Gleaves, Hart, Henderson, Holloway, Mahoney, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst—23.

NOES—Senators Gesford, Martin, and Pedlar—3.

Title read and approved.

Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Read third time.

The question being on the passage of Senate Bill No. 596.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Fay, Ford, Franck, Hart, Holloway, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Shine, Shippee, and Simpson—23.

NOES—Senator Smith—1.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

During the second reading of the bill, the following committee amendments were submitted and read:

Amend by striking out of title, in the first line of printed bill, the words "An Act to repeal an Act entitled."

Adopted.

Also: Amend by striking out of the last line of the title as printed, the words "approved March 9, 1893."

Adopted.

Also: Amend section one, line one, by inserting "that" after "section one."

Adopted.

Also: Amend section one of bill as printed, line one, by striking out the words "An Act to repeal an Act entitled."

Adopted.

Also: Amend section one, line three, of bill as printed, by striking out the words "approved March ninth, eighteen hundred and ninety-three," and inserting in lieu thereof the words "be and the same."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read second time, considered engrossed, and read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Denison, Earl, Ford, Franck, Gleaves, Hart, Holloway, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, and Whitehurst—23.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

During the second reading of the bill, the following substitute, suggested by the committee, was read:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 391.

An Act to amend section two hundred and thirty-seven, two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two hundred and thirty-seven of the Political Code is hereby amended so as to read as follows:

237. The Secretary of the Senate and the Assistant Secretaries, the Clerk of the Assembly and the Assistant Clerks, the Minute Clerk and one assistant of each house, the Sergeant-at-Arms and the Assistant Sergeant-at-Arms of each house, the Postmistress, but not her assistant, of each house, three Gatekeepers of each house, and three Pages of each house, to be specified by the Secretary and Clerk, for any session, shall, at the next succeeding session of the Legislature, perform the duties of their office until their successors are elected and qualified; and the employment of all other officers and employés of any session shall terminate with such session.

SEC. 2. Section two hundred and forty-five of the Political Code is hereby amended to read as follows:

245. The officers and employés of the Senate shall consist of a President, a President pro tem., a Secretary, three Assistant Secretaries (who shall be appointed by the Secretary, by and with the advice and consent of the Senate), one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, one Bookkeeper for the Sergeant-at-Arms (who shall be appointed by the Sergeant-at-Arms, by and with the advice and consent of the Senate), one Minute Clerk, two Assistant Minute Clerks, one Journal Clerk, one Assistant Journal Clerk, one Engrossing and Enrolling Clerk, one Assistant Engrossing and Enrolling Clerk, to be elected when the Engrossing and Enrolling Clerk is elected, and two Assistant Engrossing and Enrolling Clerks, to be elected on the thirtieth day of the session, a Chaplain, one Postmistress, one Assistant Postmistress, one Mail Carrier, who shall be Mailing and Folding Clerk, one Page to the President of the Senate, four Pages, four Porters, one of whom shall have charge of the cloak-room, four Watchmen, three Gatekeepers, one Doorkeeper, one Messenger to the Printer, one History Clerk, one Bill Clerk, one Assistant Bill Clerk, ten committee clerks; five skilled stenographers, who shall be at the service of the Senate and the committees, and under the supervision of the Secretary of the Senate; ten committee messengers, who shall be committee Ser

geant-at-Arms; and no other officers, employes, or attachés, excepting that the Secretary may employ at any time temporary employes, with the consent of four fifths of the members elected to the Senate.

Sec. 3. Section two hundred and forty-six of the Political Code is hereby amended to read as follows:

246. The officers and employes of the Assembly shall consist of a Speaker, Speaker pro tem., one Chief Clerk, three Assistant Clerks (who shall be appointed by the Chief Clerk, by and with the advice and consent of the Assembly), one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, one Bookkeeper to the Sergeant-at-Arms (who shall be appointed by the Sergeant-at-Arms, by and with the advice and consent of the Assembly), one Minute Clerk, three Assistant Minute Clerks, one Journal Clerk, one Assistant Journal Clerk, one Engrossing and Enrolling Clerk, one Assistant Engrossing and Enrolling Clerk, to be elected when the Engrossing and Enrolling Clerk is elected, and two Assistant Engrossing and Enrolling Clerks, to be elected on the thirtieth day of each session, a Chaplain, one Postmistress, one Assistant Postmistress, one Mail Carrier, who shall be Mailing and Folding Clerk, one Page to the Speaker, six Pages, four Porters, one of whom shall have charge of the cloak-room, four Watchmen, four Gatekeepers, one Messenger to the Printer, one History Clerk, one Bill Clerk, two Assistant Bill Clerks, twelve committee clerks; six skilled stenographers, who shall be at the service of the Assembly and its committees, and under the supervision of the Clerk; twelve committee messengers, who shall be committee Sergeant-at-Arms; and no other officers, employes, or attachés are to be employed, excepting that the Clerk may employ at any time temporary employes with the consent of four fifths of the members elected to the Assembly.

Sec. 4. Section two hundred and sixty-eight of the Political Code is hereby amended so as to read as follows:

268. There shall be paid to the officers and employes of the Senate the following salaries: To the Secretary, Sergeant-at-Arms, Minute Clerk, Journal Clerk, Engrossing and Enrolling Clerk, each eight dollars per day; to Assistant Secretaries, Assistant Clerks, Assistant Sergeant-at-Arms, Bookkeeper to the Sergeant-at-Arms, each six dollars per day; to the Chaplain and Stenographers, each five dollars per day; to the Bill Clerks, Committee Clerks (except that one Clerk of the Judiciary Committee, and one Clerk of the Finance Committee shall receive each six dollars per day), Postmistress, Assistant Postmistress, each four dollars per day; to the Mail Carrier, Committee Messengers, Porters, Watchmen, Gatekeepers, Doorkeeper, Messenger to the Printer, each three dollars per day; to each Page, two dollars and fifty cents per day.

There must be paid to the officers and employes of the Assembly the following salaries: To the Chief Clerk, Sergeant-at-Arms, Minute Clerk, Journal Clerk, Engrossing and Enrolling Clerk, each eight dollars per day; to the History Clerk, the Assistant Clerks, Assistant Sergeant-at-Arms, Bookkeeper to the Sergeant-at-Arms, Assistant Minute Clerks, Assistant Journal Clerks, Assistant Engrossing and Enrolling Clerks, each six dollars per day; to the Chaplain and Stenographers, each five dollars per day; to the Committee Clerks (except that the Clerk of the Ways and Means and Appropriation Committee of the Assembly shall receive six dollars per day), Bill Clerks, Postmistress, Assistant Postmistress, each four dollars per day; to the Mail Carrier, Committee Messengers, Porters, Watchmen, Gatekeepers, Messenger to the Printer, each three dollars per day; to each Page, two dollars and fifty cents per day. And no officer or employe of the Senate or Assembly whose per diem is not hereinbefore fixed shall receive a per diem exceeding the sum of five dollars.

Committee Substitute for Senate Bill No. 391 adopted.

Senator McAllister moved to amend as follows:

Amend by inserting in section four, line six, before the words "Sergeant-at-Arms," the following: "History Clerk."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

SECOND READING OF BILL.

Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class.

During the second reading of the bill, the following committee amendments were submitted and read:

Amend by striking out of section one, line two, the word "Monday" after the word "second," and the word "six" after the word "ninety," and in line three of said section, the word "Monday" and the word "even," and inserting the word "Tuesday" after the

word "second," and the word "seven" after the word "ninety;" in line two of section one; and in line three of the same section, inserting the word "Tuesday" in lieu of "Monday," and the word "odd" in lieu of the word "even."

Adopted.

Also: Amend by striking out of section three, line two, the word "six," and inserting the word "seven."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Read second time, considered engrossed, and read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arani, Androus, Biggy, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, and Whitehurst—23.

NOES—None.

Title read and approved.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read first time.

During the second reading of the bill, the following amendments, suggested by the committee, were read:

Amend by striking out all of line eight, after the first word "incorporated."

Also: Strike out all of lines nine, ten, and eleven, and insert in lieu thereof the following: "And in addition to said fines the said society so organized and incorporated shall, in each county where such a society exists, be paid from the County General Fund, by the Board of Supervisors, a sum not to exceed one hundred and fifty dollars per month, in the same manner as other claims against said county are paid."

Adopted.

Also: By Senator Beard:

Amend by striking out of section one, line eight, the word "shall," and inserting the following: "may."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer; to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineers.

Read first time.

INTRODUCTION OF BILL.

The following bill was introduced and read by title:

By Senator Earl: Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expenses for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities in this State.

Referred to Committee on City, City and County, and Town Governments, and ordered printed forthwith.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 872—An Act to provide for the punishment of the offense of killing or detaining carrier or homing pigeons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Joint Resolution No. 12—Relative to mines and mining claims situated within the boundaries of the Yosemite National Park—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Concurrent Resolution No. 10—Relative to the protection of the salmon in the American, Stanislaus, and Tuolumne Rivers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 251—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Senate Bill No. 505—An Act to appropriate one thousand seven hundred and fifteen dollars for the redemption of swamp land certificates two thousand and ninety-seven, three thousand three hundred and seventy, three thousand three hundred and sixty-nine, four thousand six hundred and fifty-one, eleven thousand and sixty-seven, and five thousand seven hundred and twenty-three.

Also: Senate Bill No. 71—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 69—An Act to pay the claim of William G. Hall.

Also: Senate Bill No. 603—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds.

Also: Senate Bill No. 595—An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876.

Also: Senate Bill No. 590—An Act appropriating money to pay the claim of B. McMahon & Son.

Also: Senate Bill No. 83—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Also: Senate Bill No. 9—An Act to appropriate money for the payment of the claims of Francis O'Hara and Richard Walsh, under the provisions of an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April 27, 1863.

Also: Senate Bill No. 68—An Act for the relief of F. E. Jackson, for personal injuries received by him while in the service of the State.

Also: Senate Bill No. 817—An Act for the benefit of Robert B. Young, for work done upon the buildings of the Whittier State School, at Whittier, California, and for money expended in paying for insurance on the same, and to make an appropriation for the same.

Also: Senate Bill No. 468—An Act to appropriate the sum of one thousand and fifty-two dollars for the payment of the claim of Jerome Deasy.

Also: Senate Bill No. 556—An Act to appropriate money for the purchase of the Coulterville and Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley.

Also: Senate Bill No. 139—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates, for the forty-sixth fiscal year.

Also: Senate Bill No. 538—An Act to pay the claim of George Miller for damage done by the storm water and sewerage of the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 635—An Act to provide for the appointment and salary of an electrician and fireman.

Also: Senate Bill No. 553—An Act to appropriate moneys to aid in erecting a monument over the grave of the late Secretary of State E. G. Waite, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Also: Senate Bill No. 23—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Also: Senate Bill No. 139—An Act to amend sections ten and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California at Ukiah, to be known as the Mendocino State Insane Asylum," and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician; and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 260—An Act to establish a State Normal School at San Diego, California—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Senate Bill No. 137—An Act to amend an Act entitled "An Act to provide for the erection and management of a State hospital for the insane, to be located in Southern California," approved March 11, 1889, in relation to the salary of Secretary.

Also: Senate Bill No. 127—An Act to pay the claim of W. P. Latapain against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 377—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association at their home for soldiers' widows and orphans, and army nurses, at Evergreen, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 394—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 738—An Act authorizing the State Board of Prison Directors to establish a school furniture factory at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 737—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 304—An Act making an appropriation to pay the claims of John Barry and William Connor.

Also: Senate Bill No. 761—An Act providing for the relief of Patrick Creighton, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Creighton, his assigns or legal representatives, the sum of seventy-five thousand dollars, and directing the Auditor of said city and county to audit the demand of said Creighton for said sum, and issue his warrant therefor; and the Treasurer of said city and county to pay said warrant.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 326—An Act to provide for the purchase of certain portraits—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnis, widow of A. W. McGinnis, and family—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute, as amended, do pass.

Also: Senate Bill No. 400—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers for the services rendered in

running the elevator in the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bills Nos. 769, 800, 801, and 802, making an appropriation to pay the claims of the California Demokrat, Le Franco Californien, La Voce del Popolo, and the Italian Publishing Company—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Also: Senate Bill No. 642—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 240 and Substitute—An Act relative to the purchase of a residence for the Governor of California.

Also: Senate Bill No. 211—An Act to provide for the purchase of a furnished residence for the Governor of California, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Respectfully report that Senate Bills involving miscellaneous appropriations amounting to one million three hundred and fifty thousand six hundred and forty-eight dollars have been ordered to engrossment. These allowances are independent of the General Appropriation Bill.

VOORHEIS, Chairman.

Senate Bill No. 817 was re-referred to Committee on Finance, on motion of Senator Androus.

LEAVE OF ABSENCE.

Senator Gesford was granted leave of absence for the day, on motion of Senator Biggy.

MOTION.

Senator Ford moved that all bills on special urgency file retain their place on file until finally disposed of.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Senate Bill No. 852—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Also: Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Also: Senate Bill No. 132—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk as to the disbursement of money and property of estates.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

SMITH, Chairman.

At ten o'clock and fifty minutes A. M. Senator Ford was called to the chair.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF THE JOURNAL.

Substitute for Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same.

Temporarily passed on file.

THIRD READING OF BILL.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Read third time.

The question being on the passage of Senate Bill No. 753.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Biggy, Dunn, Fay, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, McGowan, Mitchell, Seymour, Shine, Simpson, and Toner—21.

NOES—Senators Bert, Martin, McAllister, Orr, Smith, Whitehurst, and Withington—7.

Title read and approved.

Substitute for Senate Bills Nos. 4 and 190—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Temporarily passed on file, on motion of Senator Orr.

Senator Arms moved that the reconsideration of the vote by which Senate Concurrent Resolution No. 10, relative to adjournment *sine die*, was carried, be postponed and made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

THIRD READING OF BILLS.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read third time.

The question being on the passage of Senate Bill No. 705.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Title read and approved.

Senator Arms asked unanimous consent of the Senate to have Senate Bill No. 460 taken up and read the third time.

Granted.

Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Read third time.

MOTION.

Senator Arms moved that Senator Ford be appointed a special committee of one to amend Senate Bill No. 460 as follows:

Amend by inserting in section one, at end of line five, the letter "s"; also, by inserting at the beginning of line six, the letters "Sec."; also, at beginning of line seven, the letters "Sec."; also, at beginning of line eight, the letters "Sec."; also, at beginning of line fifteen, the letters "Sec."; also, amend by striking out of line twenty-one, of section one, the word "race."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 460, with instructions to amend, respectfully reports the same back, amended as per instructions.

FORD, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended, and on file for passage.

Senator Arms moved that the further consideration of Senate Bill No. 460 be made a special order for Saturday next, immediately after the reading of Journal.

So ordered.

At eleven o'clock and ten minutes A. M. Hon. Thomas Flint, Jr., President pro tem. of the Senate, resumed the chair.

RESOLUTION—(OUT OF ORDER).

By Senator McAllister:

Resolved, That Senate Bill No. 787 be referred to Committee on Finance, and to retain its position as special order.

So ordered.

PETITION.

The following petition was presented by Senator Fay, and ordered printed in the Journal.

From H. F. Perry and fifty-eight others, the following:

To the California Senate of 1895:

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Law-giver who governs the nations.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath; therefore, to ignore it as a day sacred to rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that legislators who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws; it is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 826—An Act to establish the Norwegian system of selling intoxicating liquors other than vinous or malt liquors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 532—An Act to amend sections one thousand five hundred and fifty-one, one thousand five hundred and seventy-six, one thousand six hundred and seventeen, one thousand six hundred and sixty-nine, one thousand seven hundred and seventy, one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five, of the Political Code, relating to public schools—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 166—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Also: Senate Bill No. 241—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 796—An Act to amend section three thousand four hundred and ninety-four of the Political Code of this State, relating to school lands, price, payment when to be made—have had the same under consideration, and respectfully report the same back without recommendation.

EARL, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 413—An Act to permit the formation of special road districts, and provide for additional taxes for road purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 397—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to add two new sections, to be known as sections two thousand six hundred and forty and two thousand six hundred and forty-four, all of the Political Code of the State of California, and relating to the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 999—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, and two thousand seven hundred and eleven of the Political Code of the State of California, and to add one new section to said Code, to be known as section two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

Also: Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Also: Senate Bill No. 452—An Act to amend sections two thousand six hundred and eighty-four and two thousand six hundred and eighty-six of the Political Code, relating to highways.

Also: Senate Bill No. 649—An Act to amend section two thousand six hundred and forty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Also: Senate Bill No. 683—An Act to add a new section to the Political Code of the State of California, to be numbered section two thousand seven hundred and forty-five, relating to keeping the public highways of this State clear from brush, thistles, cockle-burs, vines, and weeds.

Also: Senate Bill No. 684—An Act to amend section two thousand six hundred and

forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Road Commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHINE, Chairman.

MOTION.

Senator Ford moved that Assembly Bill No. 439 be taken up and read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Assembly Joint Resolution No. 9—Joint resolution relative to requesting Congress to amend the laws granting certain arid lands to the States, and to permit the State of California to reclaim such lands and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp or overflowed lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund, for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Also: Assembly Bill No. 829—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Also: Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Also: Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Also: Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Also: Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State.

Also: Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 889 referred to Committee on Elections.

Assembly Bill No. 246 ordered on file, on motion of Senator Earl.

Assembly Bills Nos. 601, 599, 587, 829, 19, and 877 referred to Committee on Finance.

Assembly Bill No. 221 ordered on file, on motion of Senator Beard.

Assembly Bill No. 171 ordered on file, on motion of Senator Hart.

Assembly Bill No. 879 ordered on file, on motion of Senator Biggy.

Assembly Bill No. 91 ordered on file, on motion of Senator McGowan.

Assembly Bills Nos. 708 and 709 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of the State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Also: Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also: Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Also: Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

Also: Amended, and passed as amended, Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 426, 148, 331, and 772 ordered to enrollment.

The President announced for consideration Senate Bill No. 327, and the Assembly amendment thereto, viz.:

Strike out in section one, line one, the words "three hundred," and insert "two hundred."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 327?"

The roll was called, and the Senate refused to concur in Assembly amendment to the bill by the following vote:

AYES—Senator Withington—1.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Voorheis 30.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 337—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Also: Assembly Bill No. 335—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 337 referred to Committee on Judiciary.

Assembly Bill No. 335 referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of March, passed Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Also: Assembly Bill No. 433—An Act to authorize the Trustees of the city of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Also: Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Also: Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Also: Assembly Bill No. 90—An Act for the protection of miners, and repealing all Acts in conflict therewith.

Also: Assembly Bill No. 591—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Also: Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Also: Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 542 ordered on file, on motion of Senator Orr.

Assembly Bills Nos. 433 and 198 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 148 ordered on file.

Assembly Bill No. 90 referred to Committee on Mines, Drainage, and Mining Debris.

Assembly Bill No. 591 referred to Committee on Elections.

Assembly Bill No. 353 referred to Committee on Judiciary.

Assembly Bill No. 568 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of March, refused to adopt the report of the Conference Committee on Assembly Bill No. 617, and this day have appointed a Committee of Free Conference, consisting of Messrs. Phelps, Tomblin, and Devine, to meet with a like committee appointed by your honorable body, to further consider said bill.

S. J. DUCKWORTH, Chief Clerk.
By H. A. MASON, Assistant.

RESOLUTION—(OUT OF ORDER).

By Senator Biggy:

Resolved, That Assembly Bill No. 879 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its final passage.

The roll was called, and Assembly Bill No. 879 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

At eleven o'clock and forty-five minutes A. M. Senator McGowan was called to the chair.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 879 (Committee Substitute for Assembly Bill No. 216)—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 879.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Simpson, Smith, Toner, and Whitehurst—26.

NOES—None.

Title read and approved.

MOTIONS.

At eleven o'clock and fifty-eight minutes A. M. Senator Earl moved that the hour of recess be extended for about fifteen minutes.

So ordered.

On motion of Senator Withington, Senate Concurrent Resolution No. 11 was ordered placed on the special file.

At eleven o'clock and fifty-nine minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Senator Earl moved that Senate Bill No. 707 be taken up, read the third time, and placed on its passage.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Bill read third time.

The question being on the passage of Senate Bill No. 707.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, and Withington—30.

NOES—Senator Smith—1.

Title read and approved.

On motion of Senator Biggy, the Senate, by unanimous vote, struck from its file Substitute for Senate Bills Nos. 4 and 190, for the reason that it was identical with Assembly Bill No. 879, this day finally passed by the Senate.

Senator McGowan moved that Senate Bill No. 89 be taken up and placed on its passage.

Senator Mathews moved to amend by adding to the motion Senate Bill No. 106.

RECESS.

At twelve o'clock and seven minutes P. M., on motion of Senator Seymour, a recess was declared until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Franck:

Resolved, That the Assembly be requested to return to the Senate, Assembly Bill No. 676, now with the Enrolling Clerk of the Assembly, for the purpose of reconsidering the vote whereby the Senate passed said bill, in order to amend the enacting clause so that it will read as follows: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final

disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

At two o'clock and ten minutes p. m. Senator Bert was called to the chair.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read third time.

The question being on the final passage of Assembly Bill No. 248.

The roll was called, and the bill refused final passage by the following vote:

AYES—Senators Arms, Bert, Dunn, Gesford, Mahoney, McGowan, Mitchell, and Toner—8.

NOES—Senators Aram, Androus, Denison, Fay, Flint, Franck, Gleaves, Holloway, Hoyt, Linder, Martin, McAllister, Orr, Pedlar, Seawell, Seymour, Simpson, Voorheis, Whitehurst, and Withington—20.

NOTICE OF RECONSIDERATION.

Senator Seawell gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 248 this day failed in receiving the necessary constitutional vote.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Committee Substitute for Senate Bill No. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the "Whittier State School," at Whittier, Los Angeles County, in making the following improvements and repairs at said "Whittier State School," to wit: Enlargement of trades building; construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department, for dining room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine; for new boiler for power house; for equipment of shops; to purchase additional land; for additional water and necessary piping; for barracks; for improvement of grounds around the girls' building, and erection of a barn thereon—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

• MOTION.

Senator Androus moved that the consideration of Substitute for Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same—be made a special order for to-day, at three o'clock and thirty minutes p. m.

So ordered.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Read third time.

MOTION.

Senator Orr moved that Senator Whitehurst be appointed a special committee of one, with instructions to amend Assembly Bill No. 681, as follows:

By adding to the end of section two the following: "*provided, however, that the provisions of this Act so far as they decrease the compensation of any officer therein named, shall not go into effect until the end of the term of the present incumbent.*"

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 681, with instructions to amend as per motion of Senator Orr, respectfully reports the same back, amended as per instructions.

WHITEHURST, Committee.

Report of special committee of one and amendment refused adoption. The question then being on the final passage of Assembly Bill No. 681. The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Earl, Fay, Franck, Gestford, Gleaves, Holloway, Hoyt, Langford, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—24.

NOES—Senators Denison, Dunn, Ford, Hart, Martin, and McGowan—6.

Title read and approved.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, and Whitehurst—33.

NOES—None.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 19.

A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section three of article twelve of the Constitution of said State be amended so as to read as follows:

Section 3. The liability of stockholders of corporations or joint-stock associations shall be limited by the face value of the shares of the subscribed capital stock or shares of such corporation or association: and whenever any shares have been fully paid up, the holder of such shares shall not be further liable to such corporation or association, or the creditors thereof, on that account. Each stockholder of a corporation or joint-stock association, whose capital stock is not fully paid up, shall be individually and personally liable for such proportion of all its debts and liabilities contracted or

incurred during the time he was a stockholder or shareholder, as the amount unpaid upon the stock or shares owned by him bears to the whole amount unpaid upon the subscribed capital stock, or shares of the corporation or association. The Directors or Trustees of corporations and joint-stock associations shall be jointly and severally liable to the creditors and stockholders for all moneys embezzled or misappropriated by the officers of such corporation or joint-stock association, during the term of office of such Director or Trustee.

Assembly Constitutional Amendment No. 19 was read.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Hart moved a call of the Senate.

So ordered:

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary announced that Senators Henderson and Orr were the only absentees without leave.

The Acting President directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Seawell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Senators Biggy, Fay, Flint, Gesford, Gleaves, Langford, Martin, McAllister, Seawell, Shippee, Smith, Voorheis, Whitehurst, and Withington—14.

NOES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Franck, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, and Toner—18.

At three o'clock and thirty minutes P. M. Senator Gleaves moved to adjourn.

Lost.

Senator Hart moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was then directed to open the doors of the Senate.

The Acting President then announced the vote upon the adoption of Assembly Constitutional Amendment No. 19, as follows:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, and Withington—28.

NOES—Senators Beard, Biggy, Fay, Gesford, Holloway, Langford, Martin, Mathews, Smith, and Whitehurst—10.

Whereupon the Acting President declared Assembly Constitutional Amendment No. 19 adopted.

On motion of Senator Smith, Senator Earl was excused from voting.

NOTICE OF RECONSIDERATION.

Senator McAllister gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Constitutional Amendment No. 19 was this day adopted, at three o'clock and forty minutes P. M.

LEAVE OF ABSENCE.

Senators Seymour and Gesford were granted a leave of absence for the day, and Senator Gleaves was granted a leave of absence for half an hour.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the State Board of Viticultural Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury, to the uses of the Mendocino Asylum.

Also: Senate Bill No. 6—An Act making an appropriation to pay deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Also: Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Also: Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Also: Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Also: Senate Bill No. 519—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1882, by amending section eight hundred and fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Also: Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than one thousand five hundred.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Also: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 369—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby, the calling and conducting of collections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds.

Also: Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed, and material furnished, under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Also: Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

Report the same correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

SPECIAL ORDER.

Senator Androus called for the special order heretofore set for this time, viz.: consideration of Substitute for Senate Bill No. 449.

THIRD READING OF BILL.

Substitute for Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same.

Read third time.

The question being on the passage of Substitute for Senate Bill No. 449.

The roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Bert, Biggy, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—Senator Aram—1.

Title read and approved.

MOTION.

Senator Androus moved that Substitute for Senate Bill No. 449 be immediately transmitted to the Assembly.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 314—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax—and Senate Bill No. 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

During the second reading of the above bills, the following substitute, suggested by the Committee on Corporations, was read.

COMMITTEE SUBSTITUTE FOR SENATE BILLS Nos. 314 AND 554.

An Act to require the payment of certain moneys by insurance companies doing business in this State, and providing for the disposition of such moneys.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There shall be paid into the State Treasury of this State, to the credit of the General Fund of the State, on the first Monday of January of each year, by every fire or life insurance company doing business in this State, and not incorporated under the laws thereof, three per cent upon the amount of all premiums received upon policies of insurance issued upon life or property within this State during the previous year, less losses actually paid, and by every fire or life insurance company doing business in this State, and incorporated under the laws of this State, one per cent upon the amount of all premiums received upon policies of insurance issued upon life or property within the State during the previous year, less actual losses paid.

Sec. 2. It shall be the duty of the general agent or manager of each such fire or life insurance company in this State to report to the State Treasurer the amount of premiums received and losses paid by the company he represents upon or for policies of insurance upon lives or property in this State, from the first day of January of the previous year to the first day of January of that year, and the sources from whence such premiums were derived. Such report shall be verified by such agent or manager and transmitted to such Treasurer, with the amount due the State, as shown by such report, on or before the first Monday of January; *provided*, that the report in January, eighteen hundred and ninety-six, shall be of premiums received and losses paid after the passage of this Act to January first, eighteen hundred and ninety-six.

Sec. 3. Any such agent or manager taking a false oath in regard to the amount of premiums received, or losses paid, shall be deemed guilty of perjury, and any such agent failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and punished accordingly. All taxes unpaid when due by such company, under this Act, may be collected by actions brought in the Superior Court, in the name of the people of the State, by the Attorney-General, at the instance of the Controller, and in such action the Court may issue an injunction restraining the further prosecution of the business of the corporation named therein until such tax due and unpaid, together with interest and the costs of the action, are paid, and until the return required by this Act is made.

Sec. 4. This Act shall take effect and be in force from and after its passage.

At three o'clock and forty-five minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

On motion of Senator Mathews, Substitute for Senate Bills Nos. 314 and 554 was adopted.

Senator Orr moved to amend by striking out all of section four, and inserting the following:

Sec. 4. The provisions of this Act shall not apply to corporations or associations transacting the business of life or accident insurance, or both life and accident insurance business, upon the assessment plan, nor to any corporations or associations organized or transacting business under the Act of the Legislature of the State of California, approved March nineteenth, eighteen hundred and ninety-one, entitled "An Act relating to life, health, accident and annuity, or endowment insurance, on the assessment plan, and the conduct of the business of such insurance."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

MOTION.

Senator Hart moved that the further consideration of Substitute for Senate Bills Nos. 314 and 554 be made a special order for Saturday next, immediately after reading the Journal.

So ordered.

THIRD READING OF BILLS.

Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of

the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Read third time.

The question being on the passage of Senate Bill No. 787.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Mathews—1.

Title read and approved.

Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police, and police officers, in all municipal corporations of the third and fourth classes in the State of California.

Read third time.

MOTION.

Senator Withington moved that Senator Pedlar be appointed a special committee of one, with instructions to amend Senate Bill No. 537, as follows:

Amend by inserting in section one, line two, after the word "may," the following: "in their discretion."

Also: Amend by inserting in section one, line four, after the word "may," the following: "in their discretion."

Also: Amend by inserting in section one, line five, after the word "may," the following: "in their discretion."

Also: Amend by inserting in section two, line one, after the word "may," the following: "in their discretion."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 537, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDLAR, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed as amended.

At four o'clock and thirty-five minutes P. M. Senator Orr was called to the chair.

MOTIONS.

Senator Seawell moved that the further consideration of Senate Bill No. 537 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Senator Earl moved that the consideration of Senate Bill No. 885 be made a special order for this evening, at seven o'clock and thirty minutes.

So ordered.

At four o'clock and forty-five minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

LEAVE OF ABSENCE.

Senator Androus was granted leave of absence for the day.

MOTION.

Senator Orr moved to take up Assembly messages.
So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Also: Amended, and passed as amended, Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add four new sections thereto, to be numbered twenty-four, twenty-five, twenty-six, and twenty-seven, relating to the powers and duties of such Commissioners.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 349 ordered to enrollment.

MOTION.

Senator Orr moved that the Senate concur in the following Assembly amendment to Senate Bill No. 290:

Amend by striking out of section nine, page six, line three, the words "one hundred and fifty," and inserting the following: "two hundred."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 290?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Hart, Holloway, Hoyt, Linder, Mathews, McAllister, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—23.

NOES—Senator Gleaves—1.

Senate Bill No. 290, as amended, ordered enrolled.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 221—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and amendment thereto approved March 19, 1889.

Also: Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 221 and 36 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of the State Board of Forestry.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 875 and 606 referred to Committee on Finance.

SENATE CONCURRENT RESOLUTION.

By Senator Smith:

SENATE CONCURRENT RESOLUTION No. 12.

Resolved by the Senate, the Assembly concurring, That when we adjourn on Thursday, March 14, 1895, we adjourn *sine die*.

Referred to Committee on State Library and Rules.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Senate Joint Resolution No. 17—Relative to expending moneys now available for the improvement of our navigable rivers, by the National Government—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GLEAVES, Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 836—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DENISON, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State—have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

HENDERSON.
ANDRUS.
MARTIN.
FORD.

Also: Assembly Bill No. 794—An Act to prohibit the wearing of hats or bonnets at theaters or any place of public amusement—have had the same under consideration, and respectfully report the same back, without recommendation.

EARL, Chairman.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, and three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Senate Bill No. 838, number twenty-five on file.

McGOWAN, Chairman.

RECESS.

At five o'clock p. m. the President pro tem. declared a recess until seven o'clock and thirty minutes p. m., on motion of Senator Aram.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Also: Assembly Bill No. 829—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his office in San Francisco, Los Angeles, and Sacramento with steel record cases, and making an appropriation therefor.

Also: Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Also: Senate Bill No. 806—An Act to provide for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

Also: Assembly Bill No. 335—An Act to add a new article to chapter one, of title two, part three of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Also: Senate Bill No. 847—An Act providing for contesting the election of any person apparently elected to the office of Governor, Lieutenant-Governor, Secretary of State, Controller, etc.

Also: Senate Bill No. 848—An Act to add a new section to the Political Code of the State of California, relating to the examination and casting of ballots cast at any election.

Also: Senate Bill No. 486—An Act to amend the Penal Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ARAM, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 444—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Also: Senate Bill No. 638—An Act to repeal sections seven, eight, and nine of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 677—An Act to establish a Desert Land Enabling Act, to enable the State of California to receive from the United States desert lands under the provisions of an Act of Congress entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894.

Also: Senate Bill No. 690—An Act to amend an Act entitled "An Act to define the duties of and to license land surveyors," approved March 31, 1891, by amending certain sections thereof, and creating others thereof, to make the Act more complete.

Have had the same under consideration, and respectfully report the same back without recommendation.

HOYT, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 6—Proposing an amendment to section seven of article one of the Constitution, relative to juries—have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 858—An Act to amend an Act entitled "An Act in relation to labor and material on the public buildings in the State of California," approved April 4, 1870—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HOLLOWAY, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Senator Earl:

Resolved, That Senate Bill No. 885 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called.

Before the vote was announced Senator Earl moved a call of the Senate.

Lost.

The President pro tem. then announced that the resolution offered by Senator Earl was refused adoption by the following vote:

AYES—Senators Aram, Biggy, Denison, Dunn, Earl, Fay, Flint, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Shine, Simpson, Toner, Voorheis, and Withington—24.

NOES—Senators Androus, Bert, Franck, Seawell, Seymour, Shippee, and Smith—7.

At eight o'clock and ten minutes p. m. Senator Simpson was called to the chair.

By Senator Mitchell:

Resolved, That Senate Bill No. 830 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 830 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—33.

NOES—None.

MOTION.

Senator Voorheis moved to take up Assembly messages.
Lost.

SPECIAL URGENCY FILE.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed on file, at request of Senator Bert.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

MOTION.

Senator Aram moved that Substitute for Senate Bill No. 2 be taken up and read the third time.

So ordered.

THIRD READING OF BILL.

Substitute for Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Read third time.

The question being on the passage of Substitute for Senate Bill No. 2.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—31.

NOES—None.

Title read and approved.

Senator Aram moved that Substitute for Senate Bill No. 2 be immediately transmitted to the Assembly.

So ordered.

MOTION.

Senator Arms moved to reconsider the vote whereby the resolution offered by Senator Ford, regarding the special urgency file, was this day adopted.

Senator Orr moved to lay the whole matter on the table.

The roll was called, and the motion to lay on the table lost by the following vote:

AYES—Senators Androus, Bert, Denison, Fay, Gleaves, Martin, McAllister, Orr, Pedlar, Shippee, and Withington—11.

NOES—Senators Arms, Biggy, Dunn, Earl, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mitchell, Seawell, Seymour, Simpson, Smith, Toner, and Voorheis—18.

The question then being on the motion of Senator Arms.

Senator Orr moved as a substitute that the Senate proceed with the regular order of business.

The roll was called, and the substitute offered by Senator Orr lost by the following vote:

AYES—Senators Bert, Denison, Gleaves, McAllister, Orr, Pedlar, and Smith—7.

NOES—Senators Arms, Androus, Biggy, Dunn, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Seawell, Seymour, Simpson, Toner, and Withington—18.

The question then recurring on the motion of Senator Arms to reconsider the vote whereby said resolution was adopted.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Arms, Arms, Biggy, Dunn, Fay, Franck, Gesford, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, and Withington—22.

NOES—Senators Denison, Mathews, McAllister, Orr, Pedlar, and Smith—6.

At nine o'clock P. M. Senator Seymour moved to adjourn.

Lost.

Senator Withington then moved to lay the resolution on the table.
So ordered.

SPECIAL URGENCY FILE—(RESUMED)—SECOND AND THIRD READINGS OF BILLS.

Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 716.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—29.

NOES—None.

Title read and approved.

Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 521.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Earl, Fay, Franek, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mathews, McGowan, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, and Withington—22.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 521 was this day passed by the Senate.

SECOND READING OF BILL.

Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

During the second reading of the bill, the following amendments suggested by the committee were read:

Amend by striking out of section one, line one, after the word "of," the following words and figures, "five thousand (\$5,000)," and inserting the following: "one thousand five hundred."

Adopted.

Also: Amend by striking out section three, and renumber section four section three.

Adopted.

Senator Hoyt moved to amend as follows:

By striking out of section one, line three, the words "injuries to his right foot, while in the performance of his duties as a member of the National Guard of California, while under orders of the Governor of California, at Oakland, county of Alameda, State of California, on the fifteenth day of July, 1894," and inserting the following: "services rendered the State of California."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 782.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Franek, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Simpson, Smith, Toner, Voorheis, and Withington—31.
NOES—None.

Title read and approved.

THIRD READING OF BILLS.

Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Read third time.

The question being on the passage of Senate Bill No. 147.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Androus, Biggy, Franck, Hart, Holloway, Hoyt, Linder, McGowan, Seawell, Seymour, Shippee, Simpson, and Smith—13.

NOES—Senators Aram, Arms, Bert, Denison, Dunn, Earl, Fay, Gesford, Gleaves, Henderson, Mahoney, Martin, Mathews, Mitchell, Orr, Shine, Toner, Voorheis, and Withington—19.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 147 this day failed in receiving the necessary constitutional vote.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 655—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Read second time, considered engrossed, read third time, and on motion of Senator Henderson, temporarily passed on file.

SECOND READING OF BILL.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

During the second reading of the bill, Senator Hart offered the following amendment:

Amend by striking out of section one, all after the word "assigns," in line three, and inserting the following: "for services rendered by her husband, O. H. Wing, to the State."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Gesford, Senate Bill No. 722—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, relating to property taxes—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 862 was substituted therefor on the file.

RESOLUTION.

By Senator Gesford:

Resolved, That Senate Bill No. 862 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 862 was declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—29.

NOES—None.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read first time.

During the second reading of the bill, Senator Gesford offered the following amendment:

Amend by striking out of section one, line twenty-one, the words "for less than four," and inserting in lieu thereof the following: "for not more than ten."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Passed on file, at request of Senator Ford.

THIRD READING OF BILL.

Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Read third time.

The question being on the passage of Senate Bill No. 275.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—33.

NOES—None.

Title read and approved.

Senator Ford moved to take up messages from the Assembly.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 1019 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 418—An Act to appropriate five thousand dollars to pay the claim of Julius A. Hult.

Also: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association, at their home for soldiers' widows and orphans, and army nurses, at Evergreen, California, and making an appropriation therefor.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 418 ordered on file, on motion of Senator McGowan.

Assembly Bill No. 399 ordered on file, on motion of Senator Franck.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to recede from its amendments to Senate Bill No. 327, and have appointed as a Conference Committee to consider the same, Messrs. Pendleton, Llewellyn, and Twigg, and requests your honorable body to appoint a like committee.

S. J. DUCKWORTH, Chief Clerk.

On motion of Senator Gleaves, the Senate concurred in the above request, and the Acting President pro tem., Senator Simpson, deferred the appointment of the Conference Committee for appointment by President pro tem. Hon. Thomas Flint, Jr.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

S. J. DUCKWORTH, Chief Clerk.

By H. A. MASON, Assistant.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Henderson, Senate Bill No. 655 was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 669 was substituted therefor on the file, the bills being identical. The history of Senate Bill No. 655 is as follows: Read first and second times, considered engrossed, read a third time.

Senator Henderson moved that Assembly Bill No. 669 be now considered and placed upon its passage.

Senator Mathews moved to amend as follows: That Assembly Bill No. 669 be referred to the San Francisco Delegation, that it retain its place on file, and that said delegation make their report to the Senate in time

to take up said bill at seven o'clock and thirty minutes P. M. to-morrow, at which time it is made a special order.

So ordered.

Senator Orr withdrew his notice of motion to reconsider the vote whereby Senate Bill No. 521 was this day passed by the Senate.

LEAVE OF ABSENCE.

At ten o'clock and fifteen minutes P. M. Senator Orr was granted leave of absence for the remainder of the evening.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 871.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—34.

NOES—None.

Title read and approved.

On motion of Senator Biggy, Senate Bill No. 871 was ordered immediately transmitted to the Assembly.

LEAVE OF ABSENCE.

At ten o'clock and twenty minutes P. M. Senator Gleaves was granted a leave of absence for the remainder of the evening.

THIRD READING OF BILL.

Senate Bill No. 799—An Act to prevent and forbid the owners of street railroads to require a deposit from employes.

Read third time.

The question being on the passage of Senate Bill No. 799.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Earl, Ford, Franck, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, McGowan, Seawell, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—22.

NOES—Senators Androus, Denison, Dunn, Fay, Hart, Henderson, Mahoney, Mitchell, Pedlar, Seymour, and Withington—11.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Withington, on behalf of Senator Langford, Senate Bill No. 243—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of

the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds thereof by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 198 was substituted therefor on the file, the bills being identical. The history of Senate Bill No. 243 is as follows: Bill read first and second times, engrossed, read a third time.

Senator Voorheis moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Also: Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Also: Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Also: Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Also: Adopted Assembly Constitutional Amendment No. 31—A resolution proposing an amendment to the Constitution of the State of California, by amending section seven of article four thereof.

Also: Passed Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Also: Refused a third reading of Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March, 1883 (St. 1883, p. 24).

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 120 ordered on file.

Assembly Bill No. 140 referred to Committee on Corporations.

Assembly Bills Nos. 314 and 245 referred to Committee on Finance.

Assembly Constitutional Amendment No. 31 referred to Committee on Constitutional Amendments.

Senate Bill No. 124 ordered to enrollment.

MOTION.

On motion of Senator Smith, the time for placing bills on the special urgency file was extended until to-morrow morning, immediately after reading the Journal.

ADJOURNMENT.

At ten o'clock and forty minutes P. M. the Senate, on motion of Senator Ford, adjourned.

IN SENATE.

SENATE CHAMBER, }
Friday, March 8, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Beard.

LEAVE OF ABSENCE.

At ten o'clock and ten minutes A. M. Senator Pedlar was granted a leave of absence for one hour, on motion of Senator Shippee.

SPECIAL ORDERS.

Senate Bill No. 807—An Act to establish a uniform system of county and township governments.

Senator Withington moved that the further consideration of Senate Bill No. 807 be postponed and made a special order for to-morrow morning, immediately after reading the Journal, to follow Senate Bill No. 460.

So ordered.

RESOLUTION.

By Senator Beard:

Resolved, That the provisions of the Constitution (section two, article four) relating to the time when bills may be introduced, are hereby suspended, and permission is hereby granted to Senators Beard, Simpson, Earl, and Voorheis to introduce Senate Bills Nos. 886, 887, 888, 889, and 890.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—33.

NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Beard (by request): Senate Bill No. 886—An Act to pro-

vide for the purchase for State institutions of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor, and regulating the award of contracts therefor.

Referred to Committee on Labor and Capital.

By Senator Earl: Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

Referred to Committee on City, City and County, and Town Governments.

By Senator Voorheis: Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Referred to Committee on Finance.

Also: Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Referred to Committee on Finance.

By Senator Simpson: Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

Ordered on file, on motion of Senator Simpson.

At ten o'clock and thirty minutes A. M. Senator Bert was called to the chair.

SPECIAL ORDERS—(RESUMED)—THIRD READING OF BILL.

Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of California, relating to public schools.

Read third time.

The question being on the passage of Senate Bill No. 846.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Franck, Gesford, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

MOTIONS.

Senator Ford moved that the reconsideration of the vote by which Senate Concurrent Resolution No. 10, relative to adjournment *sine die*, was carried, be postponed and made a special order for Monday next, immediately after the reading of the Journal.

So ordered.

Senator Voorheis moved that the following bills—Senate Bills Nos. 769, 800, 801, and 802, Acts to pay for publishing constitutional amendments—be taken up and read the first time, and made special orders for Monday next, immediately after the reading of the Journal.

So ordered.

FIRST READING OF BILLS.

The following bills were read first time and ordered on file for second reading:

Senate Bill No. 769—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Senate Bill No. 800—An Act to appropriate four thousand four hundred and eighty-eight dollars and forty-two cents as compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Senate Bill No. 801—An Act to appropriate five thousand six hundred and twenty-eight dollars and seventy-five cents as compensation to the "La Voce Del Popolo," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Senate Bill No. 802—An Act to appropriate four thousand and seventy-five dollars and fifty cents as compensation to "Italian Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

RESOLUTION.

On motion, Senator Ford was allowed to introduce the following resolution:

Resolved, That the arrangement of the Senate General File be made in the following manner:

First—Third reading.

Second—Second reading.

Third—First reading.

Fourth—Special File.

Fifth—Special Assembly File.

Sixth—Special Urgency File.

Seventh—Special orders.

Eighth—Notices of motions to reconsider.

Resolved further, That no bill on any file of the Senate General File be removed from its position on such file after this date, except by way of substitution at the request of a Senator, and with the consent of the Senate.

Senator Ford moved the adoption of the resolution.

Senator Arms moved to lay the resolution on the table.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Dunn, Earl, Fay, Frank, Hart, Henderson, Holloway, McAllister, McGowan, Mitchell, Seymour, Shine, Shippee, Simpson, Toner, and Withington—20.

NOES—Senators Bert, Biggy, Denison, Flint, Ford, Martin, Mathews, Orr, Smith, Voorheis, and Whitehurst—11.

At eleven o'clock A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Senator Ford moved that the Secretary be instructed to make up the special urgency file as ordered on Thursday, February 28, 1895—in accordance with the order then made, so far as the alphabetical arrangement thereof is concerned.

Senator Pedlar moved to lay the motion on the table.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly, for the thirty-first session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That Assembly Bill No. 1019 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 1019 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Mahoney, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Voorheis, Whitehurst, and Withington—27

NOES—None.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 1019.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, and Whitehurst—27.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Smith:

Resolved, That Senate Bills Nos. 560, 530, 817, 527, 247, 587, 754, 843, 486, 424, 356, 759, 781, 834, 67, 798, 398, 523, 265, 395, 814, 681, 733, 762, 793, 861, 704, 127, 765, 854, 890, 189, 202, and Assembly Bill No. 335 present cases of urgency, as that term is used in section fifteen of

article four of the Constitution, and the provisions of that section requiring that each bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills shall be read the first, second, and third times, and placed on their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following:

SENATE CONCURRENT RESOLUTION No. 12.

Resolved by the Senate, the Assembly concurring. That when we adjourn on Thursday, March 14, 1895, we adjourn *sine die*.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

EARL, Chairman.

Senator Smith moved the adoption of the resolution.

Senator McGowan moved as a substitute that the further consideration of Senate Concurrent Resolution No. 12 be made a special order for Monday next.

Lost.

The question then recurring on the adoption of the report of the committee, the roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Mahoney, Martin, McGowan, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—Senators Hart, Linder, and Mathews—3.

NOTICE OF RECONSIDERATION.

Senator McGowan gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Concurrent Resolution No. 12 was this day passed.

POINT OF ORDER.

Senator Voorheis made the point of order that the vote must be reconsidered on the day of the adoption of the resolution.

The President pro tem. declared the point of order well taken.

MOTIONS.

Senator Voorheis moved that the Senate take up and reconsider immediately the vote whereby Senate Concurrent Resolution No. 12 was this day adopted.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Aram, Androus, Dunn, Earl, Flint, Gleaves, Hart, Henderson, Langford, Linder, Mathews, McGowan, Mitchell, Seawell, Seymour, Shine, and Smith—17.

NOES—Senators Arms, Beard, Biggy, Denison, Fay, Ford, Franck, Gesford, Holloway, Hoyt, Mahoney, Martin, Orr, Pedlar, Shippee, Simpson, Voorheis, Whitehurst, and Withington—20.

Senator Voorheis moved that Senate Concurrent Resolution No. 12 be immediately transmitted to the Assembly.

So ordered.

RESOLUTION.

By Senator Mathews:

Resolved, That bills placed upon the special urgency file on this date, follow the present file in alphabetical order, and retain their position on said file until finally disposed of.

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 99—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Also: Senate Bill No. 478—An Act to repeal an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary, and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof," as approved March 23, 1893.

Also: Senate Bill No. 784—An Act to amend section two thousand eight hundred of the Political Code of the State of California, relating to the purchase of toll roads by the counties within which they are situated.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

WITHINGTON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

At eleven o'clock and fifty minutes A. M. Senator Orr moved that the hour of recess be extended until twelve o'clock and thirty minutes P. M.
So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee of Free Conference concerning Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—report that we have met a like committee of the Assembly, consisting of Messrs. Phelps, Tomblin, and Devine, and we report that the Free Conference Committee agreed upon and recommend the adoption of the following amendments to Assembly Bill No. 617, as amended in the Senate March 1, 1895:

Section one, line one hundred and forty-three, to strike out the words "and twenty-five."

Section one, to retain lines one hundred and fifty-nine and one hundred and sixty.

Section one, line one hundred and sixty-nine, to strike out the words "two thousand and forty," and insert "twelve hundred."

Section one, line one hundred and eighty-three, to strike out the word "twenty," and insert "fifteen."

Section one, to retain line one hundred and eighty-eight.

Section one, lines one hundred and ninety and one hundred and ninety-one, to strike out the words "one hundred and eighty thousand six hundred and seventy-five," and insert "one hundred and forty-five thousand."

Section one, to retain lines two hundred and ten and two hundred and eleven.

Section one, to strike out lines two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, and two hundred and twenty-six.

Section one, to retain lines two hundred and twenty-seven and two hundred and twenty-seven and one half.

J. L. BEARD,

L. A. WHITEHURST,

TIREY L. FORD,

Senate Committee of Free Conference.

T. G. PHELPS,

E. S. TOMBLIN,

House Committee of Free Conference.

The roll was called, and the report of the Committee of Free Conference adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Mathews, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Whitehurst, and Withington—26.

NOES—Senators McGowan and Seawell—2.

At twelve o'clock M. Senator McGowan was called to the chair.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 8, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 764.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 7, 1895. }

To the Senate of the State of California:

It is my duty to inform your honorable body that Senate Bill No. 431, this day transmitted to me for my approval, possesses the defect of having been passed by the Assembly, on March 4th, according to the officially published record of that body, by an affirmative vote of forty, which is not a constitutional majority. I therefore return the said bill to your honorable body for such action as you may deem necessary to cure the defect therein.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 7, 1895. }

To the Senate and Assembly of the State of California:

In my inaugural address delivered to your honorable bodies, I called attention to the extravagance of our State government and to the high rates of existing taxation. I made a comparison in that address between the expenses of California and those of the other principal States of the Union, showing by tables presented, that while California in population was twenty-second, in the matter of total expenditures it ranked fourth.

In that inaugural I also called your attention to the reports of the Superintendent of the Napa Lunatic Asylum, and the former Superintendent of the Stockton Lunatic Asylum, showing the large number of persons therein maintained, who, under the law, should not be inmates of those institutions. I said in this connection, after indicating the great disproportion between the expenses of California and other States of the Union:

"As a step in the direction indicated, I would recommend that a bill be passed abolishing existing asylum boards, and providing for one non-partisan board of from seven to nine members to control the entire system of lunatic asylums, with power to employ one general supervising head, who shall be an expert, and not otherwise connected with any of the institutions. The saving by such a system would be large, and local persuasion and influence could circumvent neither the expert nor the general board."

Since my inauguration, and in the discharge of my duties as Governor, I have more fully investigated the institutions and affairs of the State than was possible prior thereto. I have discovered ample proof of all I said in that address, and that its statements were far short of the actual facts.

A bill was introduced, without suggestion from myself, by Senators and Assemblymen of the State, going beyond even the recommendations of my address, which bill, in my belief, if adopted by this Legislature, with such amendments as it may deem proper, would save to the taxpayers of the State hundreds of thousands of dollars each year. I refer to the Senate Bill known as the Seymour Bill (No. 508), and the Assembly Bill, known as the Pendleton Bill (No. 693).

In another portion of my address I spoke as follows: "The extraordinary increase in the number of our lunatic asylums and other State institutions, had its origin in two causes: First, the desire of members of the Legislature from particular sections to secure the approval of their constituents by conferring upon them certain supposed benefits, and the consequent iniquitous system of trading to which this gave rise."

These observations—first, as to the endeavor of the members of the Legislature to secure the approval of their constituents at the expense of the people at large, and, second, local persuasion and influence exerted upon them—have been put to the test in this Legislature, and have been exemplified in the consideration of the so-called Seymour-Pendleton Bill.

We have seen in the corridors of the Capitol either the trustees of the various institutions affected by these bills, or their representatives, using every influence within their power for the purpose of defeating the measures. We have seen local boards of trade and local merchants not only appealing to the members from their respective localities for the defeat of these measures, but even demanding that the measures be withdrawn. When local communities, or the business men of leading towns, publish to the Legislature and to the world that they demand that their representatives in the Legislature shall abandon measures of this nature, because of the threatened loss of business, it is a virtual admission that the loss to the localities would be a saving to the taxpayers of the State, and constitute a very strong reason why the proposed legislation should be adopted. While these boards of trade and other like bodies are making such strenuous efforts before the Legislature, I fail to find one recommendation emanating from them in the interest of economy.

The Board of Examiners of this State, of which the Attorney-General and Secretary of State—both upright Republicans—are members, will bear out the Executive in his statement, that the extravagance of these institutions and the burdens placed upon the people by their mismanagement, are things so far beyond the conception of the people that, if known, they would create a storm of general indignation, which would cause local trustees and local merchants to pause before essaying to dictate to the Legislature what ought to be done in the interest of the people. The investigations made by the Board of Examiners show that but few institutions are not, in violation of the letter and spirit of the law, misapplying public funds, in some cases using the maintenance fund for the purpose of making purchases and improvements, and in others spending the money of the State in luxuries for the heads of departments, such as would not be contemplated by any judicial regulation, and in still others maintaining many inmates that should not be there.

The maintenance of State officers, housed and cared for at the expense of the people, is an item in the list of extravagances of no small importance. The Attorney-General, the Secretary of State, the Surveyor-General, and other officials of equal ability, who are elected by the people, receive but three thousand dollars a year and maintain themselves, whereas persons selected for important positions in State institutions by local boards are allowed larger salaries by these boards, and are maintained in luxury at the expense of the State.

This measure that I now recommend to you has no politics in it, but is a proposition of such great importance to the people, and will work so great a saving to them, that I feel, even at this late hour of the session, called upon to urge its passage, so that something may be done to change the existing state of affairs in California, and give the people some of the relief for which they are asking, and to which they are entitled.

I hope you will pass this measure, and that I may not be compelled in the future, in the selection of boards of trustees of the institutions affected by it, to select three men who will be members of each and every board, and thereby, under the law, constitute a Board of Charities in fact, although not in name.

JAMES H. BUDD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of March, passed Assembly Bill No. 580—An Act to amend section three

thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 580 referred to Committee on Hospitals.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

S. J. DUCKWORTH, Chief Clerk.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Withington, Senate Bill No. 807 was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 959 was substituted therefor on the file, the bills being identical.

Senator Withington moved that Assembly Bill No. 959 be now read first time, and made a special order for to-morrow, immediately after reading the Journal, to take the place of Senate Bill No. 807, withdrawn.

So ordered.

At twelve o'clock and fifteen minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

FIRST READING OF BILL.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Read first time.

SPECIAL FILE.

Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

On motion of Senator Biggy, the amendments suggested to this bill were withdrawn, and the bill was passed on file, but to retain its place.

PASSAGE OF BILL.

Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Dunn, Franck, Gleaves, Hart, Holloway, Linder, Martin, Mathews, Metiowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—24.

NOES—Senators Bert, Biggy, Denison, Earl, Fay, Gesford, Hoyt, Mahoney, McAllister, and Shine—10.

Title read and approved.

Senator Earl gave the following reasons in explanation of his vote:

MR. PRESIDENT: I am in favor of mutual insurance, and was in hopes of being able to vote for a bill drawn on what, to me, seem proper lines. I would be glad to vote for Senate Bill No. 87, also introduced by the Senator from Humboldt, because it contains

in section three thereof the provision that the premium notes of the company shall be secured by lien on the insured property. But there is no such provision in Senate Bill No. 89. The undertakings provided for in section five of Senate Bill No. 89 are wholly unsecured, and they should be secured just as the premium notes provided for in section three of Senate Bill No. 87. There being no such provision in Senate Bill No. 89, the bill, in my judgment, is unsafe for insurers, and I therefore vote "no."

NOTICE OF RECONSIDERATION.

Senator Gleaves gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 89 was this day passed.

THIRD READING OF BILL.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of Superintendent of Public Instruction, and to make an appropriation therefor.

Read third time.

The question being on the passage of Senate Bill No. 699.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—Senator Holloway—1.

Title read and approved.

Senator Ford moved to take up for consideration Senate Constitutional Amendment No. 23.

So ordered.

Senate Constitutional Amendment No. 23 read as follows:

SENATE CONSTITUTIONAL AMENDMENT No. 23.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section four of article six, relative to the "Judicial Department."

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby proposes that section four of article six of the Constitution of said State be amended so as to read as follows:

Section 4. The Supreme Court shall have appellate jurisdiction in all cases in equity, except such as arise in Justices' Courts; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand, exclusive of interest, or the value of property in controversy amounts to three hundred dollars; also in cases of forcible entry and detainer, and in proceedings in insolvency, and in actions to prevent or abate a nuisance, and in all such probate matters as may be provided by law; also, in all criminal cases prosecuted in a Court of record, excepting misdemeanors, on questions of law alone. The Court shall also have power to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and all other writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or the Supreme Court, or before any Superior Court in the State, or before any Judge thereof.

At twelve o'clock and twenty-nine minutes p. m. Senator Ford moved that the hour of recess be extended until the matter under discussion was disposed of.

So ordered.

Senator Ford moved to amend Senate Constitutional Amendment No. 23, as follows:

By striking out from lines seven and eight the following words: "also in all criminal cases prosecuted in a Court of record, excepting misdemeanors"; and by inserting in line eight, after the word "alone," the words: "also in all cases of contempt, where the contempt is not committed in the immediate view and presence of the Court."

Amendment lost.

RECESS.

At twelve o'clock and thirty-seven minutes P. M., on motion of Senator Androus, a recess was declared until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

Senator Voorheis was granted a leave of absence for the afternoon, on motion of Senator Denison.

SPECIAL ORDER.

Consideration of Assembly amendments to Senate Bill No. 239.

Upon the question of the concurrence by the Senate in the following Assembly amendments to Senate Bill No. 239:

Amend by inserting after the word "offense," in section three, line five, the following: "*provided*, that this Act shall not prohibit any person who has purchased a ticket from any agent authorized by this Act, with the *bona fide* intention of traveling upon the same, from selling, or giving any part of the same, to any other person."

Also: Amend by striking out of section three, lines two and three, the words "or for any person to purchase or receive from him."

Also: Amend by inserting after the word "not," in line three of section five of printed bill, the words "less than two hundred nor."

Also: Amend by striking out of section four, line ten, the words "*provided*, such tariff rates shall not equal the full amount paid for said whole ticket."

The roll was called, and the foregoing Assembly amendments to Senate Bill No. 239 concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, and Toner—29.

NOES—Senators Biggy, Seawell, Whitehurst, and Withington—4.

Senate Bill No. 239, as amended, ordered enrolled.

At two o'clock and twenty minutes P. M. Senator Ford was called to the chair.

Senator Seawell, in compliance with his notice, given yesterday, to

move a reconsideration of the vote whereby Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—was refused passage, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Arms, Androus, Beard, Biggy, Dunn, Gesford, Henderson, Mahoney, Mathews, McGowan, Mitchell, Seawell, and Toner—13.

NOES—Senators Bert, Denison, Fay, Flint, Franck, Gleaves, Holloway, Linder, Martin, McAllister, Orr, Pedlar, Seymour, Shine, Simpson, Whitehurst, and Withington—17.

SPECIAL FILE—ASSEMBLY BILLS—THIRD READING OF BILL.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read third time.

The question being on the final passage of Assembly Bill No. 392.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Earl, Fay, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mathews, McGowan, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—25.

NOES—Senators Bert, Gesford, Gleaves, Langford, Mahoney, Martin, and McAllister—7.

Title read and approved.

FIRST READING OF BILL.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Read first time, and ordered on file for second reading.

THIRD READING OF BILL.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Read third time.

MOTION.

Senator Gesford moved that Senator Earl be appointed a special committee of one, with instructions to amend Assembly Bill No. 470 as follows:

Insert the word "male" after the word "native," and after the word "every," in line three of section one, and after the word "every," on line four of section one, and strike out the words "or her" on line ten of section one.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 470, with instructions to amend as per motion of Senator Gesford, respectfully reports the same back, amended as per instructions.

EARL, Committee.

The question being on the adoption of the report of special committee of one.

AYES AND NOES.

The ayes and noes were demanded by Senators McGowan, Flint, and Mathews.

The roll was called.

Before the vote was announced, Senator Seawell moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

The Secretary announced that Senators Biggy and Seawell were the only absentees without leave.

The Acting President directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Gesford moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The Acting President then announced that the report of the committee of one and amendment were adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Dunn, Earl, Fay, Flint, Gesford, Henderson, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Shippee, Toner, Whitehurst, and Withington—20.

NOES—Senators Androus, Bert, Denison, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Orr, Pedlar, Seymour, Shine, Simpson, and Smith—15.

MOTION.

Senator McGowan moved to reconsider the vote whereby the report of the committee of one, and amendment to Assembly Bill No. 470, was this day adopted.

At three o'clock and fifteen minutes p. m., on motion of Senator McGowan, the special file was continued until the matter under discussion was disposed of.

At three o'clock and twenty-five minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

The question then being on the motion of Senator McGowan to reconsider the vote whereby the report of the committee of one was adopted.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Bert, Biggy, Earl, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, and Smith—16.

NOES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Fay, Flint, Gesford, Henderson, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Seawell, Shippee, Simpson, Toner, Whitehurst, and Withington—23.

Assembly Bill No. 470 ordered to print as amended, and on file for final passage.

Senator Orr, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 147 was refused passage, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—36.

NOES—Senators Earl, Martin, and Shine—3.

The question then being upon the passage of Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, and Whitehurst—33.

NOES—Senators Earl, Gesford, Martin, Mathews, and Withington—5.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police, and police officers, in all municipal corporations of the third and fourth classes in the State of California—beg leave to report that the same has been correctly engrossed.

Also: Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns—beg leave to report that the same has been correctly reengrossed.

Also: Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Also: Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto, and also to repeal an Act entitled "An Act relating to the Home of the Inebriates at San Francisco, and to prescribe the powers and duties of the Board of Managers, and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Also: Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Also: Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno, from three to two.

Also: Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

Also: Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of

January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of the State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Also: Senate Bill No. 514—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

SPECIAL ORDER.

Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police, and police officers, in all municipal corporations of the third and fourth classes in the State of California.

MOTION.

Senator Seawell moved that Senator Langford be appointed a special committee of one to amend Senate Bill No. 537.

Lost.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Ford: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section four of article six, relative to the "Judicial Department."

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section four, of article six, relative to the "Judicial Department."

Referred to Committee on Constitutional Amendments.

On motion of Senator Bert, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 953—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Ford moved that Assembly Bill No. 953 be now read first time, and made a special order for to-morrow, at two o'clock p. m.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 953—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the

same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, ordered returned to the Senate, Senate Bill No. 550, for proper engrossment.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Simpson moved that Senator Burke be appointed a special committee of one to amend Senate Bill No. 550, as follows:

Strike out section three, and renumber section four section three.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 550, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of committee of one and amendment adopted.

Senate Bill No. 550 ordered printed as amended, and reengrossed.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies and respectfully ask your honorable body to recede from said amendments.

S. J. DUCKWORTH, Chief Clerk.

The question being, "Shall the Senate recede from its amendments to Assembly Bill No. 132?"

The roll was called, and the Senate refused to recede by the following vote:

AYES—Senators Arms, Beard, Bert, Ford, Langford, Orr, and Whitehurst—7.

NOES—Senators Androus, Burke, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Withington—25.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, ordered returned to this body Assembly Bill No. 676, agreeable to the terms of resolution adopted by the Senate, March 7, 1895.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Franck moved to reconsider the vote whereby Assembly Bill No. 676 was finally passed.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Toner, Whitehurst, and Withington—29.

NOES—None.

Senator Franck moved that Assembly Bill No. 676 be referred to Senator Mathews, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out the enacting clause, and inserting the following in lieu thereof: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 676, with instructions to amend, respectfully reports the same back, amended as per instructions.

MATHEWS, Committee.

Report of committee of one and amendment adopted.

Assembly Bill No. 676 ordered printed as amended.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Also: Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body, that the Assembly, on the seventh day of March, passed Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

S. J. DUCKWORTH, Chief Clerk.

Substitute for Senate Bills Nos. 45, 52, 54, and 77 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 104, 212, 213, and 675 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Bert moved that Assembly Bill No. 6 be now read first time and placed on file for second reading, without reference to committee.
So ordered.

FIRST READING OF BILL.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read first time, and ordered on file for second reading.

WITHDRAWAL OF BILLS.

By unanimous consent of the Senate, Senator Hart withdrew Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison, for the forty-sixth fiscal year, ending June 30, 1895—number one hundred and one on Assembly file—Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison, for the forty-sixth fiscal year, ending June 30, 1895—being identical therewith, having passed the Assembly this day.

On motion of Senator Seawell, Senate Bill No. 537—An Act to provide for the compensation of the chiefs and captains of police and police officers in all municipal corporations of the third and fourth classes in the State of California—was, with the unanimous consent of the Senate, withdrawn.

MOTION.

Senator McAllister moved to take up messages from the Governor.
So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 8, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 1, 35, 226, 228, and 225.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 7, 1895. }

To the Senate of the State of California:

I herewith return, without my approval, Senate Bill No. 207, entitled "An Act to regulate the sale of milk," with my objections thereto.

It is provided in section four of the bill, that "in all prosecutions under this chapter, if the milk is shown upon analysis to contain more than eighty-seven per cent of watery fluid, or to contain less than thirteen per cent solids, not less than one fourth of which must be fats, it shall be deemed, for the purposes of this chapter, to be adulterated, and

not of good standard quality, except during the period between the fifteenth day of March and the fifteenth day of May of each year, when milk containing less than twelve per cent of milk solids shall be deemed not of good standard quality."

Under the provisions of section four of the bill, the analysis of the milk which a person sells is the test of his guilt or innocence, if charged with a violation of the provisions of the Act.

A standard work on the subject by Copeland and Bevan, recently published, entitled "Practical Hygiene," gives the percentage of the constituents of pure milk, as taken from the cow immediately, before the solids of the milk have commenced to separate from the watery fluids, or the milk has been agitated, and the percentages so given are about such as, under the provisions of said section four, constitute milk of good standard quality; but if the milk has stood a short time the fatty and cream portions of the milk rise toward the top of the vessel in which the milk is contained, while the watery fluids of the milk will be nearer the bottom of the vessel. So that a dairyman starting out in the morning with milk of the standard quality mentioned in the bill, after selling the portion of the milk in the upper part of the milk can, would be liable, under the provisions of the bill, to arrest and conviction, if he sold the remaining portion of the milk in the bottom of the can.

In view of a doubt in my mind as to the proportions of the constituent parts of milk, and whether this section of the bill would not operate in the interests of certain localities, and certain breeds of cattle as against others, I communicated with William B. Rising, Esq., State Analyst, and received from him a reply, a copy of which I append hereto, as showing in part my objections to the bill.

From the communication it will be seen what are the proportions of the constituent parts of milk from cows of different breeds in France as well as from cows of different breeds, known and unknown, in England, Germany, France, Belgium, Switzerland, and the United States. From seven hundred and ninety-three analyses made, an average of the percentage of watery fluids in pure milk from cows is 87.17; of fat, 3.69; of solids, 12.83; a maximum of the percentage of water, 90.69; and of fat, 6.47; and a minimum of the percentage of water is 80.32; and of fat is 1.67; showing a great difference in the proportion of the constituent parts of pure milk from cows of different breeds and from different sections.

The average per cent of watery fluid in pure cows' milk, as shown by these analyses, is 87.17, and persons selling such milk, although pure, would be liable to arrest and conviction under the provisions of this bill, should it become a law.

While I approve of the purpose of this bill, and would most cheerfully approve a bill to regulate the sale of milk so that the adulteration thereof may be prevented, I cannot, for the reasons above stated, approve the bill herewith returned to the Senate.

JAMES H. BUDD, Governor.

Analyses of the Milk from the Dairy Farms in the Department of the Seine.

Breed of the Cows.		Percentage of Water.	Percentage of Dry Extract.	Percentage of Fat.	Percentage of Ashes.
Norman.	(Average.....	86.66	13.34	4.21	0.64
	(Maximum.....	85.26	14.74	3.92	0.66
	(Minimum.....	88.23	11.77	3.69	0.65
Picardie.	(Average.....	86.61	13.39	4.38	0.64
	(Maximum.....	84.89	15.11	6.50	0.72
	(Minimum.....	87.57	12.43	3.80	0.59
Flamish.	(Average.....	87.19	12.81	4.32	0.63
	(Maximum.....	86.13	13.87	5.08	0.65
	(Minimum.....	88.56	11.44	3.69	0.58
Dutch...	(Average.....	88.10	11.90	3.51	0.61
	(Maximum.....	86.83	13.77	5.08	0.70
	(Minimum.....	89.34	10.66	2.87	0.54
Swiss....	(Average.....	86.91	13.09	4.15	0.64
	(Maximum.....	85.76	14.24	5.20	0.70
	(Minimum.....	88.00	12.00	3.80	0.60
Belgic.....		89.50	10.50	3.27	0.50
English.....		85.66	14.34	5.92	0.72
Breton.....		85.85	14.15	5.70	0.70
Nivernais.....		85.25	14.75	5.85	0.70

	Water.	Total Solids.	Fat.
A. Mean of 354 analyses.....	87.22	12.78	3.62
B. Mean of 455 analyses.....	87.12	12.88	3.74
Mean of A and B, <i>i. e.</i> , of 793 analyses*.....	87.17	12.83	3.69
Minimum constituents of A, <i>i. e.</i> , 354 analyses.....	83.00	-----	2.05
Maximum constituents of A, <i>i. e.</i> , 354 analyses.....	90.30	-----	6.00
Minimum constituents of B, <i>i. e.</i> , 455 analyses.....	80.32	-----	1.67
Maximum constituents of B, <i>i. e.</i> , 455 analyses.....	90.69	-----	6.47

*May be taken as the average composition of milk.

Authority.	Water.	Total Solids.	Fat.
James Bell.....216 cows.	87.17	12.83	3.83
James Bell.....24 dairies.	86.78	13.22	4.12
C. Estecourt.....22 dairies.	87.26	12.74	3.37
J. Carter Bell.....183 cows.	86.40	13.60	3.70
J. Cameron.....42 cows.	86.53	13.47	4.00
C. Cameron.....40 cows.	87.00	13.10	4.00
C. Cameron.....100 cows.	86.75	13.85	4.60
Fleischman & Veith.....120 cows.	87.78	12.22	3.20
Veith.....60 cows.	87.20	12.80	3.10
Veith.....120 cows.	86.97	13.03	3.52
Wanklyn.....average.	87.50	12.50	3.20
A. Wynler Bythe.....average.	86.87	13.13	3.50
Marchand.....average.	87.15	12.85	3.55
Henry & Chevalier.....average.	87.02	12.98	3.13
Vernoës Begnuel.....average.	86.40	13.60	3.60
Payne.....average.	86.60	13.40	3.50
O. C. Wiggin.....58 cows.	85.92	14.08	4.01
E. Calder.....27 cows.	87.23	12.77	3.32
Sharpless.....34 cows.	85.85	14.15	4.62
Haidler.....average.	87.30	12.70	3.00
Letherly.....average.	86.00	14.00	3.90
J. König.....average.	87.30	12.70	3.00
Bousingault.....average.	87.40	12.60	4.10
Muspratt.....average.	86.43	13.57	4.23
Dieulaifait.....average.	87.64	12.36	3.11
Geruf-Bezanez.....average.	85.70	14.30	4.31
Brinton.....average.	86.00	14.00	4.50
Chandler.....1,700 qts.	87.48	12.55	3.83
Newton.....average.	87.50	12.50	3.50
Bartley.....average.	87.50	12.50	3.50
White.....average.	87.50	12.50	3.50
Walter.....average.	87.50	12.50	3.20
Babcock.....average.	85.53	14.47	5.09
Church.....average.	86.30	13.70	3.70
Edward Smith.....average.	86.40	13.60	3.61
Martin.....average.	86.50	12.50	3.20

OFFICE OF STATE ANALYST, BERKELEY, March 4, 1895.

To his Excellency Governor JAMES H. BUDD:

MY DEAR GOVERNOR: In answer to your note of the first instant, I beg leave to say that I can only give you the data of countries and places other than California. If this were made a part of my duties as State Analyst, and I were given the necessary assistance, I would gladly get together the necessary data for this State, and for the different parts of the year, so that we could narrow down to the limits somewhat in drawing up any bill regulating the milk traffic. What I will give you will be an average of many hundred samples, and which have been accepted as standards in other places.

I send you the average maximum and minimum composition of various breeds of cows in France, which you see at a glance. On another sheet I send you the average of seven hundred and ninety-three (793) analyses of cows, of known and unknown breeds, and of all countries—England, Germany, France, Belgium, Switzerland, United States, etc. The average of the seven hundred and ninety-three analyses give water 87.17 per cent, fat 3.69 per cent, solids 12.83 per cent, with a minimum of water 80.32 per cent, minimum of fat 1.67 per cent, maximum of water 90.69 per cent, fat 6.47 per cent.

I trust you will find in the report the information that you want. I have an earnest

desire to make the department of as much service to the State and the public as is possible, consistent with the other duties which are required of me as teacher. I wish you could impress upon the Board of Regents that they ought at least to give one assistant to help in such work, and I can assure you that it would be very easy to find work for several such helpers.

I am very truly yours,

W. B. RISING.

MOTION.

Senator Withington moved that the consideration of the Governor's message be made a special order for Monday next, after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expenses for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 884—An Act to amend an Act entitled "An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor," approved March (—) 1895, by adding a new section thereto, to be known as section one and one half—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SHIPPEE, Chairman.

Senator Hart, from the Committee on Attachés, Contingent Expenses, and Mileage, was granted until to-morrow to make a report on the following resolution:

Resolved, That from and after Friday, March 8th, the Senate shall dispense with all attachés of this body not actually necessary for the transaction of its further business, and the Committee on Attachés, Contingent Expenses, and Mileage is hereby instructed to report to the Senate on Friday next the particular attachés whose services are no longer required at this session.

The services of all attachés so reported to the Senate shall be discontinued from and after March 8th, and their per diem shall then cease.

RECESS.

At five o'clock and thirty minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M., on motion of Senator Seawell.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTION.

The following resolution was introduced by Senator Ford, and read:

Resolved, That the Secretary of the Senate be and he is hereby instructed to have the Senate General File arranged as follows:

First—Third Reading File.

Second—Second Reading File.

Third—First Reading File.

Fourth—Special File Senate Bills.

Fifth—Special File Assembly Bills.

Sixth—Special Urgency File.

Seventh—Special Orders.

Eighth—Notices of Reconsideration.

The question being on the adoption of the resolution, the same was adopted.

SPECIAL URGENCY FILE.

Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Senator Fay moved that the consideration of Assembly Bill No. 669 be postponed and made a special order for to-morrow, at two o'clock P. M.
So ordered.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 830—An Act to provide for the establishment of a Board of Examiners for the California State Therapeutic Society.

Read first time.

During the second reading of the bill, Senator Smith moved to amend as follows:

By inserting in line three after the word "seven" the word "female."

Lost.

Senator Ford offered the following amendments:

Amend by inserting in section one, line two, the words "in their discretion."

Adopted.

Also: Amend by adding to section one, after line seven, the words "*provided*, the same shall have been approved by the State Board of Medical Examiners."

Adopted.

Bill read second time, considered engrossed, and ordered to print and on file for third reading.

SECOND READING OF BILL.

Senate Bill No. 526—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

During the second reading, the following committee amendments were submitted:

Amend section one, line twenty-two, by inserting after the word "State," the following: "to the credit of the General Fund."

Adopted.

Also: Amend section one, line twenty-two, by striking out the word "ten" and inserting in lieu thereof the word "two."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 715.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Withington—28.

NOES—Senator Denison—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 715 was this day passed.

At eight o'clock and fifteen minutes P. M. Senator Bert was called to the chair.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 876.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Biggy, Burke, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Martin, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—25.

NOES—Senators Bert, Dunn, Earl, Ford, Hoyt, Linder, Mitchell, and Pedlar—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Arms gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 876 was this day passed by the Senate.

SECOND READING OF BILL.

Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

During the second reading of the bill, the following amendments were submitted:

By Senator Biggy:

Amend section one, line three, by inserting after the name "Charles F. Wells" the following words: "for services rendered the State of California."

Adopted.

Also: Amend section two, line three, by inserting after the word "same" the following words: "and the direction herein is hereby exempted from the operation of the provisions of section six hundred and seventy-two of the Political Code."

Adopted.

By Senator Franck:

Amend by striking out of line one, section one, after the word "of," the words "seven thousand five hundred," and inserting the words "five thousand."

Adopted.

Bill read second time, considered engrossed, ordered to print as amended, and on file for third reading.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Passed on file, on motion of Senator Bert.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State, upon which a State Prison or University is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Bill read first time.

During the second reading of the bill, the following committee amendments were submitted:

Amend the title by striking out the words "State Prison or."

Adopted.

Amend line two, section one, by striking out the words "State Prison or."

Adopted.

Bill read second time, considered engrossed, ordered to print, and on file for third reading.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier School.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 448.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 448 was this day passed.

FIRST AND SECOND READINGS OF BILLS.

Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Read first time.

During the second reading of the bill, the following committee amendment was submitted:

Amend by striking out of section two the words: "and it is further provided, that the directions herein to the Controller are exempt from the provisions of section six hundred and seventy-two of the Political Code of the State of California."

Adopted.

Bill read second time, considered engrossed, ordered to print, and on file for third reading.

Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Read first time.

During the second reading of the bill, the following amendments were submitted:

By Finance Committee:

Amend by striking out of section six, line one, the words "twenty-five," and inserting the following: "thirty."

Adopted.

Also: Amend by striking out of section seven, line one, the words "appropriated out of the General Fund," and insert the following: "set apart out of the money so appropriated in the previous section."

Adopted.

Senator Smith offered the following amendments:

Amend section six, line six, by inserting after the word "same" the following: "twenty-five thousand dollars of."

Adopted.

Also: Amend by striking out all of section eight.

Adopted.

Also: Amend by renumbering sections nine and ten as sections eight and nine, respectively.

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

Senator Burke was granted unanimous permission to withdraw his notice of motion to reconsider the vote whereby Senate Bill No. 448 was this day passed.

Senator Gesford was granted unanimous consent to withdraw Senate Bill No. 11, number five hundred and eighty-five on file, and substitute therefor on file Senate Bill No. 662, number four hundred and two on file.

Senate Bill No. 11—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Withdrawn.

RESOLUTION.

By Senator Gesford:

Resolved, That Senate Bill No. 662 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—None.

SECOND READING OF BILL.

Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Read second time.

Senator Withington offered the following amendments:

Amend by inserting in section one, line three, after the words "in any office," the following: "elections for the issue of bonds, any election held for a special purpose under a provision of law."

Adopted.

Also: Amend by inserting in section one, line seven, after the words "special election," the following: "for the election of freeholders, and for the submission of proper charters or amendments thereto."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on file for third reading.

Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Passed on file.

Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing Commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said Commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said Commission and Secretary; and to appropriate money therefor.

Passed on file, on motion of Senator Ford.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

During the second reading of the bill, the following committee amendments were submitted:

Amend by striking out of line one, after the word "thousand," the words "three hundred."

Also: Strike out all of section three.

Lost.

Bill read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 16.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Hoyt, Mahoney, Martin, Mathews, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, and Simpson—27.

NOES—Senators Burke, Gleaves, and Voorheis—3.

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Read third time.

The question being on the passage of Senate Bill No. 805.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Withington—30.

NOES—Senators Beard, Burke, Gesford, Holloway, Martin, and Whitehurst—6.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Aram gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 805 was this day passed.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Committee Substitute for Senate Bills Nos. 314 and 554—An Act to require the payment of certain moneys by insurance companies doing business in this State, and providing for the disposition of such moneys—beg leave to report that the same has been correctly reëngrossed.

SMITH, Chairman.

Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same.

Passed on file, on motion of Senator Seymour.

At ten o'clock P. M. Senator Burke moved to adjourn.

Lost.

THIRD READING OF BILL.

Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

Read third time.

The question being on the passage of Senate Bill No. 116.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Smith, Voorheis, Whitehurst, and Withington—27.

NOES—Senator Toner—1.

Title read and approved.

MOTION.

Senator Seawell moved that Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor—be made a special order for Monday morning, immediately after the reading of the Journal.

So ordered.

At ten o'clock and ten minutes P. M. Hon. Tirey L. Ford was called to the chair.

THIRD READING OF BILL.

Substitute for Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Read third time.

The question being on the passage of Substitute for Senate Bill No. 391.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced Senator McAllister moved a call of the Senate.

So ordered.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The President pro tem. directed the Sergeant-at-Arms to forthwith close the doors.

Senator Bert moved that further proceedings under the call of the Senate be dispensed with.

AYES AND NOES.

The ayes and noes were demanded by Senators Pedlar, Withington, and Gleaves.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Earl, Flint, Hart, Holloway, Hoyt, Martin, McAllister, McGowan, Orr, Shine, Shippee, Voorheis, and Whitehurst—18.

NOES—Senators Biggy, Denison, Dunn, Fay, Franck, Gleaves, Mahoney, Mitchell, Pedlar, Seymour, Toner, and Withington—13.

The President pro tem. then declared Substitute for Senate Bill No. 391 refused passage by the following vote:

AYES—Senators Burke, Dunn, Fay, Flint, Holloway, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—18.

NOES—Senators Aram, Arms, Beard, Bert, Biggy, Denison, Earl, Franck, Gleaves, Hart, Hoyt, Mahoney, McGowan, Seymour, Shine, and Toner—16.

Senator Biggy gave notice that on to-morrow he would move a reconsideration of the vote whereby Substitute for Senate Bill No. 391 was this day refused passage.

On motion of Senator Voorheis, Senator Henderson was excused for the balance of the evening.

MOTION.

Senator Mathews moved that Senate Bill No. 875 be now taken up and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

During the second reading of the bill, Senator Mathews offered the following amendment:

Amend by striking out of section five, line three, the word "intrusted," and inserting the following: "interested."

Adopted.

Bill read second time, considered engrossed, ordered to print, and on file for third reading.

Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class.

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read third time.

The question being on the passage of Senate Bill No. 752.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Mahoney, Martin, McAllister, McGowan, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer; to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineer.

Passed on file, on motion of Senator Mahoney.

THIRD READING OF BILLS.

Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Read third time.

The question being on the passage of Senate Bill No. 653.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Martin, McAllister, McGowan, Mitchell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Read third time.

The question being on the passage of Senate Bill No. 70.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of water-works, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants,

to obtain waterworks"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Passed on file.

Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Passed on file, on motion of Senator Ford.

Senator Gleaves moved that Senate Joint Resolution No. 17 be taken up and considered.

So ordered.

SENATE JOINT RESOLUTION No. 17.

Joint resolution relative to expending moneys now available for the improvement of our navigable rivers, by the National Government.

WHEREAS, The river systems of California have been examined by the engineers of the War Department, and recommendations have been made from time to time for their improvement, particularly so by Executive Document No. 246, Fifty-first Congress, Second Session, wherein a recommendation is made for a specific appropriation of two hundred and seventy-five thousand dollars for removal of obstructions in the Lower Sacramento, and for a specific appropriation of three hundred thousand dollars for the treatment of the Yuba near and above Marysville. An appropriation of three hundred and forty-five thousand dollars for the improvement of the Sacramento and Feather Rivers was also recommended by Major W. H. Heuer, of Corps of Engineers, in his annual report of eighteen hundred and ninety-three. Recommendations have also been made by sundry Executive Documents of the War Department for the improvement of the San Joaquin and Mokelumne Rivers, Petaluma Creek, and other navigable streams of the State. Based on these recommendations, Congress has made sundry appropriations for the improvement of the river systems of California. These appropriations have been only a fraction of the amounts recommended by the War Department, but if expended promptly the relief afforded would be incalculable. As said by the report dated February third, eighteen hundred and ninety-one, of the Board of Engineers, consisting of G. H. Mendell, Colonel; A. MacKenzie, Major; and Dan C. Kingman, Captain of Engineers: "The movement of the wheat harvest takes place during the low stage of water, so that the greatest demand for transportation comes when the natural conditions are least favorable. Relief to be adequate needs to be prompt. Prices are affected by existing conditions. A good river makes freighting cheap, whether it be done on the river or on competing railroads. The cost of transportation on the water determines the price on land." The report from which the above quotation is taken is that of a Board of Government Engineers appointed to examine into the necessity for improvement of the river systems of California. It appears by Appendix TT of the annual report of the Chief Engineer that the total amount of freight transported during the year by the river systems of California was eight hundred and fifty-six thousand six hundred and fifty-three tons. This amount of freight is carried at reduced rates, and river transportation also reduces the rates charged by railroads, as said on page twenty-five hundred and fifty-three of that report, at least to the extent of one dollar per ton, and the amount of freight transported by rail, and affected by water competition, is three times as great as that carried by water. The river systems of California have been partially improved by the expenditures already made, but large sums are in the hands of the Government engineers, still unexpended. If California is to have the benefit of the appropriations made by Congress, it is absolutely essential that these sums should be expended immediately. The price of all products is now so low that the improvement of the rivers of California, and the cheapened cost of transportation that will result thereby, is an imperative necessity. Whether the refusal to do the work for which these appropriations have been made is the result of indifference, negligence, or a determination to deprive the people of cheap water transportation, is difficult to determine. However that may be, the result is disastrous to the welfare of California; therefore,

Resolved by the Senate of the State of California, the Assembly concurring, That the Secretary of War of the United States, in behalf of and in the name of the State of California, be and he is hereby requested to direct the expenditure, in accordance with the recommendations of the Government engineers, of the sums of money appropriated for river improvement and still unexpended.

Resolved, That the Governor be and he is hereby requested to transmit a copy of this resolution to the Secretary of War of the United States, and that our Senators be directed, and our Representatives be requested, to use all honorable means to secure the improvement of the river system of California by the expenditure of the money appropriated for that purpose, as specified in this resolution.

Senate Joint Resolution No. 17 read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Frank, Gleaves, Hart, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, and Toner—29.
NOES—Senators Androus, Fay, Whitehurst, and Withington—4.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporters civil executive officers, and fixing their salaries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

RESOLUTION.

By Senator McGowan:

Resolved, That on to-morrow, at two o'clock p. m., and on every day thereafter, the bills on the Assembly special file be declared cases of urgency, as that term is used in section fifteen of article four of the Constitution, and that the Assembly be requested to adopt a similar rule with reference to the Senate special file of the Assembly.

On motion of Senator McGowan, the above resolution was made a special order for to-morrow, at two o'clock p. m.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

On motion of Senator Aram, Senate Bill No. 763 was made a special order for to-morrow, immediately after reading of the Journal.

On motion of Senator Bert, Assembly messages were taken up.

ASSEMBLY MESSAGES.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 262 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Also: Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Also: Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 412, 592, and 827 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

Also: Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Also: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses.

Also: Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 961 ordered on file.

Senate Bills Nos. 633, 208, and 388 ordered to enrollment.

Senator Aram was granted unanimous consent to withdraw his notice of motion to reconsider the vote whereby Senate Bill No. 805 was passed.

Senator Burke was granted unanimous consent to withdraw his notice of motion to reconsider the vote whereby Senate Bill No. 715 was passed.

ADJOURNMENT.

On motion of Senator Burke, at eleven o'clock and twenty-seven minutes P. M., the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Saturday, March 9, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Biggy.

APPROVAL OF JOURNALS.

The Journal of Wednesday, March 6, 1895, and of Thursday, March 7, 1895, were approved.

At ten o'clock and twenty-five minutes A. M., Hon. S. C. Smith, State Senator from the Thirty-fourth District, was called to the chair.

SPECIAL ORDERS—PASSAGE OF BILLS.

Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Gleaves, Hart, Hoyt, Linder, Mahoney, McAllister, Mitchell, Orr, Seawell, Simpson, Smith, Toner, and Withington—24.

NOES—None.

Title read and approved.

Senator Biggy, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Substitute for Senate Bill No. 391 was refused passage, moved that the vote be reconsidered.

At ten o'clock and thirty-five minutes A. M. Hon. Thomas Flint, Jr., President pro tem., resumed the chair.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Dunn, Fay, Flint, Ford, Gesford, Henderson, Holloway, Langford, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—26.

NOES—Senators Denison, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, McGowan, Shine, and Toner—10.

Substitute for Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

The question being on the passage of Substitute for Senate Bill No. 391.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Fay, Flint, Ford, Gesford, Henderson, Holloway, Langford, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—25.

NOES—Senators Franck, Gleaves, Hart, Hoyt, Mahoney, McGowan, Seymour, Shine, and Toner—9.

Title read and approved.

On motion of Senator McAllister, Substitute for Senate Bill No. 391 was ordered immediately transmitted to the Assembly.

Senator Orr moved that Assembly Bill No. 140, referred to Committee on Corporations, be recalled and placed on file.

So ordered.

On motion of Senator Burke, in compliance with notice, given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 876 was passed, the Senate proceeded to consider the same.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Arms, Bert, Denison, Dunn, Earl, Flint, Ford, Gleaves, Hart, Henderson, Hoyt, McGowan, Mitchell, Toner, and Voorheis—15.

NOES—Senators Aram, Androus, Beard, Biggy, Burke, Fay, Franck, Gesford, Holloway, Linder, Mahoney, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—22.

MOTIONS.

On motion of Senator Burke, Senate Bill No. 876 was ordered immediately transmitted to the Assembly.

On motion of Senator McGowan, in compliance with notice, given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 89 was passed, the Senate proceeded to consider the same.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Bert, Biggy, Denison, Fay, Gesford, Gleaves, Mahoney, Martin, and McAllister—9.

NOES—Senators Aram, Arms, Androus, Beard, Burke, Dunn, Franck, Hart, Henderson, Holloway, Linder, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—24.

On motion of Senator McGowan, Senate Bill No. 89 was ordered immediately transmitted to the Assembly.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Read second time.

AMENDMENTS.

The following amendments were submitted:

By Senator Withington:

Amend by striking out of section twenty-one, lines seventeen and eighteen.

Adopted.

By Senator Earl:

Amend section twenty-one, line five, by inserting after the words "allowance book" the following: "to be kept by the County Auditor."

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment, by Senators Withington, McGowan, and Simpson.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Arms, Beard, Denison, Earl, Holloway, Hoyt, Martin, Mitchell, and Seymour—9.

NOES—Senators Androus, Bert, Burke, Dunn, McAllister, McGowan, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—14.

By Senator Earl:

Amend section twenty-five, line two hundred and twenty-three, by inserting after the word "bids," the following: "shall be on a schedule showing all articles needed in the several offices and departments, prepared by the Clerk of the Board."

Adopted.

Also: Amend section twenty-five, line two hundred and thirty, by inserting after the word "books," the following: "from a schedule prepared by the Clerk of the Board, showing all blanks and blank books used in the several offices and departments."

Adopted.

By Senator Flint:

Amend by striking out of section twenty-five, lines two hundred and twenty-six to two hundred and seventy-one, the words "to make regulations for the protection of fish and game; when such regulations are made, as provided in this section, relating to game, the laws of the State for the protection thereof are suspended in such county; and to regulate the size and kind of nets and seines to be used for fishing; *provided, however*, that the length of season during which any fish or game may be taken or killed, as provided by the general laws of the State, shall not be extended or increased," and inserting the following: "to provide by ordinance, not in conflict with the general laws of the State, for the protection of fish and game, and may shorten the close season for the taking or killing of fish and game within the dates fixed by the general State laws, but shall not lengthen the same."

Adopted.

By Senator Hart:

Amend by striking out of section twenty-five, line two hundred and seventy-four, the words "two dollars and a half per day," after the word "exceed," and inserting the following: "one hundred dollars per month."

Adopted.

By Senator Denison:

Amend subdivision thirty-one of section twenty-five, by adding: "*provided*, that the provisions of this section shall not be so construed as to empower said Boards of Supervisors to refuse a license to the conducting of any business for which a license is now authorized under the laws of this State, without first submitting the question of license or no license, upon said business, to a vote of the people of such county, and a majority thereof voting upon the question are against the license; *and provided further*, that nothing herein contained shall in any manner abridge the powers of towns, cities, and municipalities to make and enforce, within their limits, all such local police and sanitary regulations as are not in conflict with general laws."

Pending discussion on the above amendment, the hour of recess being close at hand, the President pro tem. stated that if there were no objections the consideration of Assembly Bill No. 959 would be proceeded with immediately after recess.

There being no objections, it was so ordered.

Senator Ford moved that the special order set for consideration at two o'clock P. M. this day be considered at that time, and Assembly Bill No. 959 be considered immediately thereafter.

Lost.

The President pro tem. thereupon ruled that the first order of business after recess would be the further consideration of Assembly Bill No. 959.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

APPOINTMENT OF COMMITTEES OF CONFERENCE.

The President pro tem. announced as the Committee of Conference to confer with a like committee from the Assembly on Assembly Bill No. 132, Senators Holloway, Withington, and Biggy.

Also, as the Committee of Conference to confer with a like committee from the Assembly on Senate Bill No. 327, Senators Bert, Arms, and Orr.

At two o'clock and fifteen minutes P. M. Hon. Frank McGowan, State Senator from the First District, was called to the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Arms:

Resolved, That at the conclusion of to-day's session, the Senate take a recess until to-morrow morning at eleven o'clock A. M., for which time the third-reading file is made a special order.

Senator Voorheis moved to lay the resolution on the table.

So ordered.

Senator Ford moved that Assembly Bill No. 953 be taken up and read the second time.

So ordered.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 953—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

During the second reading of the bill, Senator Ford offered the following amendments:

Amend by striking out all of sections two and three.

Adopted.

Also: Amend the title so that the same shall read as follows:

An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and

control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

Adopted.

Bill read second time, ordered to print as amended, and on file for third reading.

CONSIDERATION OF ASSEMBLY BILL No. 959—(RESUMED).

Senator Denison, by unanimous consent of the Senate, withdrew the amendment to Assembly Bill No. 959, submitted by him before the noon recess.

The following amendments were submitted:

By Senator Denison:

Amend section twenty-five by adding after subdivision thirty-one the following:

"*Provided*, that the provisions of this section shall not be so construed as to empower said Boards of Supervisors to refuse a license for conducting any business for which a license is now authorized under the laws of this State, unless a majority of the votes of such county cast upon the question shall be against the issuance of such license, after the submission to them of the question of 'license or no license'; *and provided further*, that no provisions of this section shall be so construed as to limit or abridge the powers of towns or cities from making and enforcing within their limits such local police and sanitary regulations as are not in conflict with general laws."

Senator Denison, by unanimous consent of the Senate, withdrew the above amendment until the conclusion of the second reading of the bill.

President pro tem. of the Senate, Hon. Thomas Flint, Jr., at two o'clock and forty minutes P. M., resumed the chair.

By Senator McGowan:

Amend section twenty-five, line three hundred and fourteen, by inserting the following:

"41. To provide by ordinance for the organization and government of districts, to protect and preserve the banks of rivers and streams, and lands lying contiguous thereto, from injury by overflow, or the washing thereof, and to provide for the improvements of said rivers and streams, and to provide for the assessment, levy, and collections within such districts of a tax therefor."

AYES AND NOES.

Upon the question of the adoption of the amendment, the ayes and noes were demanded by Senators McGowan, Seymour, and Biggy.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Aram, Arms, Denison, Dunn, Earl, Flint, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Seawell, Seymour, and Toner—18.

NOES—Senators Beard, Biggy, Burke, Franck, Hart, Mathews, McAllister, Orr, Pedlar, Shippee, Simpson, Smith, Whitehurst, and Withington—14.

At two o'clock and fifty minutes P. M. Hon. Frank McGowan, State Senator from the First District, was called to the chair.

MOTION.

Senator Ford moved to reconsider the vote whereby the amendment offered by Senator Flint to section twenty-five was this day adopted.

Lost.

At three o'clock P. M. Senator Bert was granted leave of absence for thirty minutes.

By Senator Withington:

Amend by striking out of section forty-one, lines two and three, the words "prior to the first or third Mondays of the month in," and inserting the following: "three days prior to the time of the meeting of the Board at."

Adopted.

By Senator Ford:

Amend by striking out of section fifty-six, lines three and four, the words "and in townships having a population less than three thousand there shall be but one Justice of the Peace and one Constable."

Lost.

By Senator Holloway:

Amend by striking out of section one hundred and thirty-nine, lines five, six, and seven, the following words: "The County Surveyor shall plat, trace, blue print, or otherwise make all county, township, road, district, Assessors', and all other maps, for the county of which he is Surveyor."

Lost.

At three o'clock and forty minutes P. M. Hon. Thomas Flint, Jr., President pro tem., resumed the chair.

By Senator Simpson:

Amend by striking out of section one hundred and forty-nine, all after the word "law," in line three thereof.

Senator Gesford moved to amend the amendment as follows:

Amend by striking out all of section one hundred and forty-nine, after word "law," in line three, and inserting the following: "he shall, at least once a month, and oftener in his discretion, pay the public moneys in his hands into the County Treasury, taking the receipt of the Treasurer therefor."

Amendment to amendment accepted by Senator Simpson, and the amendment thereupon adopted.

By Senator Simpson:

Amend by striking out of section one hundred and fifty-nine of the printed bill, lines fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, and fifty-seven, and inserting the following in lieu thereof: "The Treasurer, three thousand six hundred dollars per annum; *provided*, that in counties of this class, there shall be and hereby is allowed to the Treasurer one chief deputy, who shall be appointed by the Treasurer, and shall be paid a salary of one hundred and twenty-five dollars per month. The salary of the chief deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the Treasurer."

Adopted.

By Senator Denison:

Amend by striking out of section one hundred and sixty, page fifty-three, line nineteen, the word "five," and inserting the following: "six."

Adopted.

Also: Amend by striking out of section one hundred and sixty, page fifty-three, lines twenty-two and twenty-three, the words "as License Collector he shall receive fifteen per cent of all licenses collected by him," and add a new subdivision, to be numbered six and one half, and to read as follows: "The License Collector shall receive fifteen per cent of all licenses collected by him."

Adopted.

Also: Amend by adding to section one hundred and sixty, page fifty-three, line twenty-four, after the words "the Assessor, fourteen thousand dollars per annum," the following: "one chief deputy, at a salary of twenty-one hundred dollars per annum, to be paid at the same time and in the same manner other county officers are paid, and five Deputy Assessors, who shall hold office from twelve o'clock meridian of the first Monday of March of each year, up to twelve o'clock meridian of the first Monday of July of each year, at a salary of one hundred dollars per month, during the time they hold office, to be paid at the same time and in the same manner other county officers are paid."

Adopted.

Also: Amend by striking out of section one hundred and sixty, page fifty-three, line twenty-five, the words "six thousand," and inserting the following: "sixty-five hundred."

Adopted.

Also: Amend by striking out of section one hundred and sixty, page fifty-four, line thirty-eight, the words "such fees as are now or may be hereafter allowed by law," and inserting the following: "shall receive ten dollars per day for all work performed for the county, and in addition thereto all necessary expenses and transportation on work performed in the field."

Adopted.

Also: Amend section one hundred and sixty, line forty-seven, after the words "per month," by inserting the following: "in full."

Adopted.

Also: Amend section one hundred and sixty, line forty-one, after the words "per month," by inserting the following: "in full."

Adopted.

Also: Amend section one hundred and sixty, line fifty-one, after the words "per month," by inserting the following: "in full."

Adopted.

Also: Amend section one hundred and sixty, line fifty-five, after the words "by law," by inserting the following: "*provided, however,* that in criminal cases such fees shall not exceed the sum of one thousand dollars in any one year, or one hundred dollars in any one month"; and in same line, after the word "*provided,*" by inserting the word "*further.*"

Adopted.

Also: Amend by striking out of section one hundred and sixty, lines seventy-one, seventy-two, and seventy-three, the words "the provisions of this section, so far as they reduce the compensation of the Assessor, in counties of this class, shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-six."

Adopted.

By Senator Franck:

Amend by striking out of section one hundred and sixty-one, line thirty-five, all after the word "fees," and all of lines thirty-six, thirty-seven, thirty-eight, thirty-nine, to and including the word "class," on line forty.

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment, by Senators Franck, Gleaves, and Seymour.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Franck, Gleaves, Mahoney, Pedlar, and Seymour—5.

NOES—Senators Androus, Beard, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Gesford, Hart, Holloway, Hoyt, Martin, McAllister, Mitchell, Orr, Seawell, Shine, Toner, Voorheis, and Whitehurst—22.

By Senator Hart:

Amend by striking out of section one hundred and sixty-two, line thirty-nine, the words "such fees as are now or may be hereafter allowed by law," and inserting the following: "ten dollars per day for all work performed for the county, and in addition thereto all necessary expenses and transportation on work performed in the field."

Adopted.

By Senator Holloway:

Amend by inserting in section one hundred and sixty-three, after line thirty-seven, the words: "and one Assistant District Attorney, at a salary of fifteen hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid; said Assistant District Attorney allowed in lieu of the Assistant District Attorney allowed by virtue of subdivision thirty-six of section twenty-five of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March twenty-fourth, eighteen hundred and ninety-three."

Adopted.

Also: Amend by striking out of section one hundred and sixty-three, line fifty-two, the words "of each department."

Adopted.

Also: Amend section one hundred and sixty-three, line fifty-four, by inserting after the word "Court," the following: "and for all preliminary examinations and other services rendered in Court."

Adopted.

Also: Amend section one hundred and sixty-three, line sixty-one, by inserting after the word "motions," the following: "demurrers."

Adopted.

By Senator McGowan:

Amend by striking out of section one hundred and sixty-eight, line seventeen, the words "are now or may be hereafter allowed by law," and inserting the following: "as were allowed by law on January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and sixty-eight, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "as were allowed by law on January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and sixty-eight, line twenty-three, the whole of subdivision sixteen, and inserting the following: "In counties of the eleventh class the office of Phonographic Reporter is hereby created, and the Judges of the Superior Courts of said counties are hereby empowered to make the appointment of such reporter, and the salary and compensation of such reporter is hereby fixed and determined at the sum of one hundred and fifty dollars per month, payable at the same time and in the same manner as the salaries of the other county officers; and for transcription of notes, when required, he shall receive the sum of twelve and one half cents per folio for the original, and five cents per folio for copies. Claims of compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the Court, and paid out of the County Treasury, and in civil cases or proceedings to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or by both parties, as the Court may direct."

Adopted.

By Senator Seymour:

Amend by striking out of section one hundred and sixty-seven all of subdivision sixteen, and inserting the following:

"16. In counties of this class the official reporter of each department of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Courts, and when requested by a Justice of the Peace, or Coroner, in preliminary examinations or inquests, a monthly salary of one hundred dollars, payable out of the County Treasury, at the same time and in the same manner as the salaries of other county officers; and for transcription of said notes, when required, they shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcribing in criminal cases, preliminary examinations, and inquests, to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury; and in civil cases, to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct."

Adopted.

By Senator Hoyt:

Amend by striking out of section one hundred and sixty-nine, line seven, the "period" after the word "annum," and inserting the following: "and the fees or commissions for the service of all papers whatsoever issued by any Court outside of his county."

Adopted.

Also: Amend by striking out of section one hundred and sixty-nine, subdivisions thirteen and fourteen thereof, and inserting the following:

"13. Justices of the Peace, the following monthly salaries, to be paid each month, as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases:

"In townships having a population of six thousand or more, one hundred dollars per month; in townships having a population of two thousand nine hundred, and less than six thousand, seventy-five dollars; in townships having a population of two thousand three hundred, and less than two thousand nine hundred, fifty-five dollars; in townships having a population of one thousand four hundred, and less than two thousand three hundred, thirty dollars; in townships having a population of nine hundred, and less than one thousand four hundred, twenty dollars; in townships having a population of seven hundred, and less than nine hundred, fifteen dollars; in townships having a population of less than seven hundred, ten dollars. Each Justice must pay into the county treasury, once a month, all fines collected by him. In addition to the monthly salary allowed herein, each Justice may receive for his own use such fees as are now or hereafter may be allowed by law, for all services performed by him in civil actions.

"14. Constables, the following salaries, which shall be paid monthly as salaries of county officers are paid, and which shall be in full for all services rendered by them in criminal cases, to wit:

"In townships having a population of two thousand nine hundred or more, one hundred dollars.

"In townships having a population of two thousand three hundred and less than two thousand nine hundred, sixty-five dollars.

"In townships having a population of one thousand four hundred and less than two thousand three hundred, fifty dollars.

"In townships having a population of nine hundred and less than one thousand four hundred, thirty dollars.

"In townships having a population of seven hundred and less than nine hundred, fifteen dollars.

"In townships having a population of less than seven hundred, ten dollars.

"In addition to the monthly salary allowed herein, each Constable may receive and retain for his own use such fees as are now or hereafter may be allowed by law, for all services performed by him in civil actions.

"The population of the several judicial townships shall be ascertained by the Board of Supervisors as the population of counties is ascertained in section one hundred and fifty-seven of this Act."

Adopted.

By Senator Withington:

Amend by striking out of section one hundred and seventy, lines forty-nine to one hundred and forty-eight, inclusive.

Adopted.

By Senator Shippee:

Amend section one hundred and seventy-one, line twenty-four, by inserting the following: "provided, the amount of mileage shall not exceed the sum of three hundred dollars in any one year."

Adopted.

By Senator Burke:

Amend by striking out of section one hundred and seventy-two, line twenty, the words "one thousand eight hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line twenty-nine, the word "nine," and inserting the word "eight" in lieu thereof.

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, lines thirty-three and thirty-four, the words "and twenty-five."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line forty-three, the word "ninety-nine," and inserting the word "ninety-six" in lieu thereof.

Adopted.

By Senator Seymour:

Amend by adding to section one hundred and seventy-eight, line five, the words following: "and all commissions, fees, and mileage for the services of papers or process coming from Courts other than those of his own county."

Adopted.

Also: Amend by adding to section one hundred and seventy-eight, line sixteen, the words following: "and one Assistant District Attorney, to be appointed by the District Attorney, who shall receive as compensation for his services the sum of twelve hundred dollars per annum, to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time other county officials are paid."

Adopted.

Also: Amend by striking out of section one hundred and seventy-eight, line twenty-one, the words "such fees as are or may be hereafter allowed by law," and inserting the following: "ten dollars per day while engaged in county work, and necessary expenses incurred in going to and from the place of labor outside of his office."

Adopted.

By Senator Orr:

Amend by striking out of section one hundred and seventy-nine, line five, the word "five," and inserting the following: "six."

Adopted.

Also: Amend by striking out of section one hundred and seventy-nine, lines twenty and twenty-one, the words "one hundred," and inserting the following: "four dollars per day, not to exceed two hundred dollars per annum in the aggregate."

Adopted.

Also: Amend by striking out of section one hundred and seventy-nine, line twenty-four, the words "one hundred," and inserting the following: "one hundred and twenty-five."

Adopted.

By Senator Gesford:

Amend by striking out all of lines thirteen, fourteen, seventeen, eighteen, and nineteen of section one hundred and eighty, after the word "fees," and inserting after the word "fees," in each of said lines, the words "as were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend subdivision fifteen of section one hundred and eighty by striking out all of said subdivision after the word "Commissioner," in line twenty-four, and inserting in lieu thereof the following:

"The provisions of all subdivisions of this section, except subdivisions nine, ten, twelve, thirteen, fourteen, and fifteen, shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-nine, said subdivisions nine, ten, twelve, thirteen, fourteen, and fifteen to take effect immediately."

Adopted.

By Senator Aram:

Amend by inserting in section one hundred and eighty-one, line twenty-two, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Adopted.

Also: Amend by inserting in line twenty-six of the same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Adopted.

By Senator Smith:

Amend by striking out of section one hundred and eighty-two, line six, after the word "and," the word "six," and inserting the following: "seven."

Adopted.

Also: Amend by inserting in section one hundred and eighty-two, line twelve, after the word "thousand," the words "eight hundred."

Adopted.

Also: Amend by striking out of section one hundred and eighty-two, lines twenty-six and twenty-seven, the words "and on all preliminary examinations and Coroner's inquests."

Adopted.

By Senator McAllister:

Amend section one hundred and eighty-three, line nineteen, by adding after the word "law," the following: "Constables of townships having more than two thousand and less than twenty-five hundred population, forty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"Constables of townships having more than fifteen hundred and less than two thousand population, thirty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"Constables of townships having more than one thousand and less than fifteen hundred population, twenty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"Constables of townships having more than five hundred and less than one thousand population, fifteen dollars per month, their actual traveling expenses, half the fees in

criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"The population of any township shall be ascertained in the same manner as the population of the different counties of the State under this Act."

Adopted.

By Senator Gleaves:

Amend by striking out of section one hundred and eighty-six, line seven, the word "two," and inserting the following: "eight."

Adopted.

Also: Amend by striking out of section one hundred and eighty-six, line eight, the word "six," and inserting the the word "five" in lieu thereof.

Adopted.

Also: Amend by striking out of section one hundred and eighty-six, line two, the words "four thousand," and inserting the following: "three thousand six hundred."

Adopted.

Also: Amend by striking out of section one hundred and eighty-six, line eleven, the words "two thousand," and inserting "eighteen hundred" in lieu thereof.

Adopted.

Also: Amend by striking out of section one hundred and eighty-six, line twenty-two, and inserting the following: "when serving as Road Commissioner, twenty-five cents per mile one way."

Adopted.

RESOLUTION—(OUT OF ORDER).

By Senator Orr:

Resolved, That the Senate hold a session on Saturday evening, March 9, 1895, commencing at seven o'clock and thirty minutes P. M.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Bert, Burke, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, McAllister, Orr, Pedlar, Seawell, Seymour, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—Senators Biggy, Denison, Mahoney, and Martin—4.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 31, 1878, and as amended by an Act approved March 19, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners.

Also: Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Also: Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan for the partial construction by him of the Branch State Prison at Folsom, California.

Also: Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds."

Also: Senate Bill No. 221—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and amendment thereto, approved March 19, 1889.

Also: Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Also: Senate Bill No. 148—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Also: Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

Also: Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same—beg leave to report that the same has been correctly engrossed.

Also: Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California—beg leave to report that the same has been correctly reengrossed.

SMITH, Chairman.

LEAVE OF ABSENCE.

Senators Beard and Seymour were, at four o'clock and fifty minutes p. m., granted a leave of absence for the remainder of the day, and Senator Simpson was excused for fifteen minutes.

On motion of Senator Seawell, the Senate declared Assembly Bill No. 959 a special order for continuous consideration until it shall have its second reading completed.

CONSIDERATION OF ASSEMBLY BILL No. 959—(RESUMED).

The following amendments were submitted:

By Senator Orr:

Amend by striking out of section one hundred and eighty-seven, line twenty-one, the word "six," and inserting the word "four"; and also at end of same line, insert "not to exceed one hundred and fifty dollars per annum."

Adopted.

Also: Amend by striking out of section one hundred and eighty-seven, after word "direct," in line thirty, all the balance of the section.

Adopted.

By Senator Voorheis:

Amend by adding to section one hundred and eighty-nine, line thirteen, the words: "provided, he may charge and receive for his own use, necessary expenses for traveling on county and public business, to be allowed as other county charges are allowed by law."

Adopted.

Also: Amend by adding to section one hundred and eighty-nine, line twenty-four, the following: "and when serving as Road Commissioner, three dollars per day, but he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner."

Adopted.

By Senator Aram:

Amend by inserting in section one hundred and ninety-four, line twenty-five, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Adopted.

Also: Amend by inserting in line twenty-nine, same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Adopted.

Also: Amend by striking out of section one hundred and ninety-four, lines nineteen, twenty, twenty-one, twenty-two, and twenty-three, being all of paragraph fifteen, and inserting the following: "Each Supervisor shall receive three hundred dollars per year, and when serving as Road Commissioner three dollars per day, and twenty cents per mile, one way, for all distances actually traveled by him in the performance of his duties as such Commissioner."

Adopted.

By Senator Seawell:

Amend by striking out of section one hundred and ninety-six, line six, the "period" after the word "annum," and adding the following: "*provided*, that the Recorder shall be paid the actual cost of making the abstract of mortgages, not to exceed two hundred and forty dollars."

Adopted.

Also: Amend by striking out of section one hundred and ninety-six, subdivisions twelve, thirteen, fourteen, and fifteen thereof, and inserting the following:

"12. The Surveyor, nine hundred dollars per annum, which shall be in full for all services required of him by the Court or the Board of Supervisors, and as ex officio County Recorder; *provided*, that he shall be entitled to receive from the county his actual necessary traveling expenses incurred in the performance of any order of the Court or Board of Supervisors.

"For all other services the fees allowed by law.

"13. Justices of the Peace, the following monthly salaries, to be paid each month as salaries of county officers are paid, and which shall be in full for all services rendered by them in criminal cases, to wit:

"In townships having a population of three thousand or more, twenty-five dollars per month.

"In townships having a population of two thousand and less than three thousand, forty dollars per month.

"In townships having a population of one thousand three hundred and less than two thousand, forty dollars per month.

"In townships having a population of one thousand and less than thirteen hundred, twenty dollars per month.

"In townships having a population of less than one thousand, ten dollars per month; *provided*, that Justices of the Peace must pay into the County Treasury, on the first Monday in each month, the fines collected by them for the preceding month, and shall file with the County Treasurer a sworn statement, showing in detail the amount of, from whom, when, and the offense for which such fines were collected; *provided, also*, that each Justice of the Peace may collect and retain for his own use the fees allowed by law, for services rendered by him in civil cases, but a sworn statement showing, in detail, the amount of, from whom, and when such fees were collected, shall be filed by him at the same time and in the same manner as his statement of fines.

"No Justice of the Peace shall receive his warrant for his salary for the preceding month until he has presented to the County Auditor a receipt showing that the foregoing provisions have been complied with.

"14. Constables, the following monthly salaries, to be paid each month as salaries of county officers are paid, and which shall be in full for all services rendered by them in criminal cases, including attendance on Justice's Court, and the care of prisoners held by them, to wit:

"In townships having a population of three thousand or more, thirty dollars per month.

"In townships having a population of two thousand and less than three thousand, fifty dollars per month.

"In townships having a population of one thousand three hundred and less than two thousand, forty dollars per month.

"In townships having a population of one thousand and less than thirteen hundred, twenty dollars per month.

"In townships having a population of less than one thousand, ten dollars per month; *provided*, that each Constable may collect and retain for his own use the fees allowed by law for services rendered by him in civil cases, but he shall make the same detailed report to the County Treasurer of fees collected by him, and be subject to the same proviso before receiving a warrant for his salary as required of Justices of the Peace in the foregoing subdivision; *provided, also*, that each Constable shall be paid his actual and necessary expenses incurred in conveying prisoners to the county jail, not to exceed, however, in any one month, the sum of twenty dollars.

"The population of the several judicial townships shall be ascertained by the Board of Supervisors, as the population of counties is ascertained in section one hundred and fifty-seven of this Act.

"15. Each Supervisor, nine hundred dollars per annum, which shall be in full for all services rendered by him, either as Supervisor or Road Commissioner, including all mileage; *provided*, that each Supervisor shall be entitled to receive from the county his actual and necessary traveling expenses incurred in the performance of his duty as Supervisor, other than expenses incurred in attendance at meetings of the Board.

"16. In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of fifty dollars, payable out of the County Treasury, at the same time and in the same manner as salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may decide."

Adopted.

By Senator Flint:

Amend by striking out of section one hundred and ninety-nine, line five, the words "two thousand six hundred and twenty-five," and inserting the following: "three thousand."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line six, the words "six hundred," and inserting the following: "nine hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line seven, the word "three," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line eight, the words "nine hundred," and inserting the following: "one thousand two hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line nine, the words "three hundred and seventy-five," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line ten, the words "one thousand five hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line eleven, the words "one thousand two hundred," and inserting the following: "one thousand six hundred."

Adopted.

By Senator Aram:

Amend by inserting in section two hundred and one, line twenty-five, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Adopted.

Also: Amend by inserting in line twenty-nine, of the same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Adopted.

MOTION.

Senator Franck moved that Senate Bill No. 550, just reported correctly reëngrossed, be taken up and placed upon its passage.

So ordered.

PASSAGE OF BILL.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

The question being on the passage of Senate Bill No. 550.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Biggy, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Hoyt, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Toner, Voorheis, Whitehurst, and Withington—23.

NOES—None.

Title read and approved.

RECESS.

At five o'clock and twenty minutes p. m. the President pro tem. declared a recess until seven o'clock and thirty minutes p. m., on motion of Senator Toner.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 889—An Act appropriating money for the care of the Yosemite Valley.

Also: Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Finance report that the items contained in the General Appropriation Bill, Assembly Bill No. 617, aggregate \$5,742,240.

The following items are included in the bill of this session, which were not included in the General Appropriation Bill of the thirtieth session, but were provided for elsewhere:

Salary of Supreme Court Commissioners and Secretary.....	\$64,800 00
Revolving Fund, State Printer's Office.....	40,000 00
Traveling and contingent expenses of the State Board of Equalization.....	10,000 00
Public Works and Debris Commission.....	19,866 00
Orphans and half-orphans.....	650,000 00
Veterans.....	90,000 00
Total.....	\$874,666 00

Deducting these items, the total of the bill this session is.....\$4,867,574 00

The amount of the General Appropriation Bill of the thirtieth session was... 4,708,265 00

Increase over thirtieth session.....\$159,309 00

An increase in the following allowances accounts for the difference:

	Allowance 30th Session.	Allowance 31st Session.
Contingent expenses of the Legislature.....	\$30,000 00	\$75,000 00
Mendocino Asylum.....	70,000 00	145,000 00
Home for Feeble-Minded.....	100,000 00	140,000 00
Preston School of Industry.....	70,000 00	100,000 00
Totals.....	\$270,000 00	\$460,000 00

The allowance for contingent expenses of the Legislature is not an increase. It simply provides for raising the amount necessary, according to the estimates of the Controller.

The increased allowance for the Mendocino Asylum for the Insane, the Home for Feeble-Minded Children, and the Preston School of Industry seemed to be absolutely necessary to sustain these institutions.

VOORHEIS, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ANDROUS, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 840—An Act to appropriate nine thousand seven hundred and five dollars and fifty cents to pay the claim of C. H. Reynolds upon certain Indian war bonds—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FRANCK, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 27—Proposing an amendment to section twenty-two of article four of the Constitution, relative to State institutions—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 886—An Act to provide for the purchase for State institutions of supplies of California production, or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor, and regulating the awards of contracts therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOLLOWAY, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Assembly Joint Resolution No. 4; also, Senate Joint Resolution No. 15—have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

BEARD, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred Senate Bill No. 839—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: The following resolution:

Resolved, That from and after Friday, March 8th, the Senate shall dispense with all attachés of this body not actually necessary for the transaction of its further business, and the Committee on Attachés, Contingent Expenses, and Mileage is hereby instructed to report to the Senate on Friday next the particular attachés whose services are no longer required at this session.

The services of all attachés so reported to the Senate shall be discontinued from and after March 8th, and their per diem shall then cease.

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following resolution:

Resolved, That from and after Saturday night, March 9, 1895, the services of the Sergeant-at-Arms, messengers, and porters of all committees, except those of the Judiciary, Finance, and Counties and County Boundaries, be dispensed with; also, that from and after Wednesday night, March 13, 1895, the services of the clerks of all committees, except those of the Judiciary, and Finance, and Enrolled and Engrossed Bills be dispensed with.

HART, Chairman.

Report of committee and resolution adopted.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

Senator Toner was granted unanimous consent to have Senate Bill No. 853 read first time, and made a special order for Monday next, at three o'clock and thirty minutes P. M.

FIRST READING OF BILL.

Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Read first time, and ordered on file for second reading, as a special order for Monday next, at three o'clock and thirty minutes P. M.

MOTION.

Senator Mathews moved that Senate Bill No. 875 be taken up and read third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Read third time.

The question being on the passage of Senate Bill No. 875.

The roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Linder, Martin, Mathews, McAllister, Pedlar, Seawell, Simpson, Voorheis, and Whitehurst—23.

NOES—Senators Arms, Beard, Dunn, Hoyt, Mahoney, McGowan, Mitchell, Seymour, Shine, Smith, and Toner—11.

Title read and approved.

Senator McGowan asked that the following explanation of his vote on Senate Bill No. 875 be entered in the Journal:

I vote "no" because the measure is unconstitutional, in that it is special legislation; that it pledges the faith of the county to the credit of a municipal corporation; that it is not within governmental purposes for a county to engage in railroad building or conducting the same.

Senator Smith stated that his reasons for voting against the passage of the bill were the same as given by Senator McGowan.

NOTICE OF RECONSIDERATION.

Senator Hart gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 875 was this day passed.

CONSIDERATION OF ASSEMBLY BILL No. 959—(RESUMED).

The following amendments were submitted:

By Senator Pedlar:

Amend by striking out of section two hundred and two, all of line twenty-five after the word "Peace"; also, by striking out in line twenty-six the words "in addition," and inserting the following: "shall for services in criminal cases be allowed."

Adopted.

Also: Amend by striking out of section two hundred and two, line thirty-four, the words "all of which compensation," and inserting the following: "the per diem herein allowed."

Adopted.

Also: Amend by inserting in section two hundred and two, line thirty-seven, the letter "s," after the word "provision."

Adopted.

By Senator Gesford:

Amend section two hundred and three by striking out all of subdivision fifteen of said section, after the word "receive," on line twenty-six, and inserting in lieu thereof the following: "more than three hundred dollars as Supervisor, exclusive of mileage, nor more than three hundred dollars as Road Commissioner, exclusive of traveling expenses."

Adopted.

By Senator Seawell:

Amend section two hundred and four by adding a new subdivision thereto, to be numbered sixteen, as follows:

"16. In counties of this class, the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of fifty dollars, payable out of the County Treasury, at the same time and in the same manner as the salaries of county officers; and for the transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited by the Board of Supervisors, as other claims against the county, and paid out of the County Treasury, and in civil cases, to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may decide."

Adopted.

By Senator Ford:

Amend by inserting in section two hundred and five, after line twelve, the words "and his necessary traveling expenses, to be allowed by the Board of Supervisors."

Adopted.

Also: Amend by striking out of section two hundred and five, line thirteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and five, line fourteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and five, line seventeen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and five, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and five, line nineteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and six, line twelve, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and six, line thirteen, the words: "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and six, line sixteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and six, line seventeen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section two hundred and six, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

By Senator Withington:

Amend by inserting in section two hundred and fifteen, line five, before the words "*provided, however,*" the following: "and except that where an Assistant District Attorney has been heretofore appointed in any county, either under the provisions of subdivision thirty-six of section twenty-five, or under any other provisions of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 24, 1893, and such assistant is continued by the provisions of this Act, either as an assistant or deputy in such county, then such deputy or assistant shall be paid out of the funds of such county, as heretofore or herein provided."

Adopted.

By Senator Biggy:

Amend section two hundred and fifteen by inserting after the word "Act," in line twelve, the following: "*provided, however,* that in counties, and cities and counties, of the first class, the Assessor shall receive no commission for the collection of taxes on personal property, nor shall such Assessor receive any compensation for making out military roll of persons returned by him as subject to military duty, as provided by section one thousand nine hundred and one of the Political Code; nor shall the License Collector in such counties, and cities and counties, of the first class, receive any commission on licenses collected by him."

Adopted.

By Senator Seawell:

Amend by striking out of section two hundred and fifteen, lines ten, eleven, and twelve, from and including the words "and the License Collector," down to and including the word "Act," on line twelve.

Lost.

By Senator Seymour:

Amend by striking out of section two hundred and thirty-three, line one, the word "increases," and inserting the word "changes."

Also: Insert after the word "any," in line one, section two hundred and thirty-three, the word "county."

Lost.

By Senator Denison:

Amend section twenty-five, page thirty-one, line two hundred and seventy-eight, by adding the following: "*provided*, that the provisions of this section shall not be so construed as to empower said Boards of Supervisors to prohibit the conducting of any class of business for which a license is now authorized under the laws of this State, without first submitting the question of license, or no license, for said class of business to a vote of the people of such county, and obtaining a majority of the voters voting upon said question in favor of such prohibitory measure; and *provided further*, that nothing herein contained shall in any manner abridge the powers of towns and cities to make and enforce within their limits all such local police and sanitary regulations as are not in conflict with general laws."

Lost.

By Senator Gleaves:

Amend by adding to section two hundred and ten, line nine, the words "which shall include all fees as License Collector."

Adopted.

Also: Amend section one hundred and eighty-six, line seven, by inserting the following: "which shall include all fees as License Collector."

Adopted.

By Senator Denison:

Amend by striking out subdivision four of section twenty-five, and inserting in lieu thereof the following as subdivision four of section twenty-five:

"4. To lay out, maintain, control, erect, and manage public roads, turnpikes, ferries, and bridges within the county, and to grant franchises and licenses to collect tolls thereon; *provided*, where the cost of the erection of any bridge exceeds the sum of five hundred dollars, they must advertise for bids, together with plans, specifications, strain-sheets, and working details thereof, and shall let the contract therefor upon the plans adopted by them, which shall be attached to and made a part of such contract. And the person or corporation whose plans are adopted, and to whom the contract is awarded, shall be required to execute a bond, to be approved by said Board, for the faithful performance of such contract; *provided*, that the Road Commissioners in their respective districts shall employ all labor required, and direct the conduct of work of any kind done upon any and all public roads; *provided further*, that in cases of great emergency, by the unanimous consent of the whole Board, they may proceed at once to replace or repair any and all bridges and structures without notice."

Lost.

By Senator Gesford:

Amend subdivision fifteen of section one hundred and eighty, by striking out of line twenty-three thereof the words "a per diem of," and inserting on said line, after the word "Supervisor," the words "exclusive of mileage."

Adopted.

Also: Amend by striking out of line twenty-four of said section, the words "a per diem of," and inserting after the word "Commissioner," the words "exclusive of actual traveling expenses."

Adopted.

By Senator Seawell:

Amend by striking out of section one hundred and ninety-six, line nine, the "period" after the word "annum," and inserting the following: "and the fees allowed by law for

services as License Collector, not to exceed, however, in any one year, the sum of three hundred dollars."

Adopted.

Also: Amend section one hundred and seventy-four by inserting after the word "annum," subdivision six, the following: "which shall be in full for all services rendered as License Collector."

Adopted.

Also: Amend by striking out of section two hundred and four, line nine, the "period" after the word "annum," and inserting the following: "which shall be in full for all services as said Tax Collector and License Collector."

Adopted.

By Senator Holloway:

Amend by adding to section one hundred and sixty-three, line thirty-two, the words: "including the percentage collected by him from licenses."

Adopted.

By Senator Smith:

Amend by striking out of section one hundred and seventy-six, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

Also: Amend by striking out of section one hundred and seventy-six, line nineteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Adopted.

By Senator Earl:

Amend by inserting in section fifty-six, line three, after the word "elected," the following: "there shall be but one Justice of the Peace."

Adopted.

By Senator Pedlar:

Amend by striking out of section one hundred and sixty-six, line forty-three, the words "both per diem and mileage, no."

Adopted.

Also: Amend by striking out all of line forty-four, up to and including the word "year," and inserting the following: "per diem, no Supervisor shall receive more than six hundred dollars per annum."

Adopted.

By Senator Hart:

Amend section one hundred and sixty-two by inserting between lines nineteen and twenty the following: "The License Collector, eighteen hundred dollars per annum."

Adopted.

By Senator Orr:

Amend by inserting at end of line five, in section one hundred and eighty-seven, as follows: "also, the following fees, to be audited and paid as other county charges: For serving warrant of arrest, two dollars; for every mile necessarily traveled in executing any warrant of arrest, twenty cents per mile; for taking prisoners to magistrate or to jail, the actual cost of transportation."

Adopted.

By Senator Burké:

Amend by striking out of section one hundred and seventy-two, line fourteen, the words "eighteen hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by inserting in section one hundred and seventy-two, line fifteen, the words "inclusive, also for all services rendered for licenses collected by him."

Adopted.

By Senator Ford:

Amend by inserting in section sixty-five, line one, after the word "deputies," the words "and Commissioners of all Courts of record."

Lost.

Also: Amend by inserting in section fifty-six, after line six, the words "but the provisions of this section shall not affect any present incumbent of the office of Justice of the Peace or Constable."

Adopted.

MOTIONS.

On motion of Senator Burke, Assembly Bill No. 959, and the following amendment, proposed by Senator Earl:

Amend by adding to section two hundred and fifteen, at the end thereof, the following: "*provided*, that in any county where the number of Judges of the Superior Court shall have been increased, and not decreased since the first day of January, eighteen hundred and eighty-seven, or shall hereafter be increased, there must be and there hereby is allowed to the Sheriff of such county, by reason of such increase, one additional deputy, to be appointed by the Sheriff, at a salary of fifteen hundred dollars per annum, to be paid at the same time and in the same manner as other county officers are paid; and also there must be and is hereby allowed to the County Clerk of such county, one additional deputy to act as court-room clerk, and one additional deputy to act as register clerk for each Judge so appointed or elected, at a salary of fifteen hundred dollars per annum for each of said deputies, to be paid at the same time and in the same manner as other county officers are paid; *provided*, there must be but one such additional register clerk where two additional Judges are elected or appointed, and but two such additional register clerks where three or more additional Judges are elected or appointed; the said deputies being the same deputies provided for by section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Were referred to the Committee on Judiciary, to report the same back on Monday next, immediately after the reading of the Journal. The committee to report on the constitutionality of said bill and amendment.

On motion of Senator Voorheis, the further consideration of Assembly Bill No. 959 was set as a special order for Monday next, immediately after the reading of the Journal, to take precedence over all other special orders.

On motion of Senator Aram, all special orders set for this day, and not acted on, were reset as special orders for consideration on Monday next, to follow Assembly Bill No. 959.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Biggy, Senate Bill No. 17—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an

appropriation therefor—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—was substituted therefor on the file.

ADJOURNMENT.

At ten o'clock and fifty minutes P. M. the Senate, on motion of Senator Mahoney, adjourned.

IN SENATE.

SENATE CHAMBER,)
Monday, March 11, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.
Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.
The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, March 9, 1895, the further reading was dispensed with, on motion of Senator Biggy.

LEAVE OF ABSENCE.

At ten o'clock and ten minutes A. M. Senator Androus was granted a leave of absence for thirty minutes, on motion of Senator Bert.

SPECIAL ORDER—SECOND READING OF BILL.

Consideration of Assembly Bill No. 959—An Act to establish a uniform system of county and township governments—resumed.

AMENDMENTS.

The following amendments were submitted:
By Senator Withington:

Amend by striking out section ten and inserting the following:
Sec. 10. The population of the several counties of this State is hereby ascertained and determined to be, and is as follows: County of San Francisco, 298,215; County of Los Angeles, 124,875; County of Alameda, 100,415; County of Santa Clara, 58,290; County of

Sacramento, 47,820; County of Sonoma, 37,345; County of San Joaquin, 36,670; County of San Diego, 35,620; County of Fresno, 35,080; County of San Bernardino, 27,500; County of Humboldt, 27,255; County of Solano, 26,130; County of Tulare, 24,150; County of Butte, 22,770; County of Santa Cruz, 22,055; County of Nevada, 21,905; County of Mendocino, 21,095; County of Monterey, 20,600; County of San Luis Obispo, 20,140; County of Placer, 18,985; County of Riverside, 18,400; County of Santa Barbara, 18,310; County of Napa, 18,220; County of Yolo, 17,375; County of Kern, 17,330; County of Contra Costa, 17,200; County of Orange, 16,540; County of Siskiyou, 16,190; County of Shasta, 16,145; County of Ventura, 14,410; County of Calaveras, 14,175; County of Amador, 13,250; County of El Dorado, 13,040; County of Stanislaus, 12,745; County of San Mateo, 12,450; County of Tehama, 11,675; County of Yuba, 11,635; County of Marin, 11,360; County of Colusa, 10,510; County of Tuolumne, 10,235; County of Merced, 9,815; County of San Benito, 9,000; County of Kings, 8,935; County of Sutter, 8,565; County of Madera, 7,975; County of Lake, 7,600; County of Glenn, 7,445; County of Sierra, 6,540; County of Plumas, 5,970; County of Mariposa, 5,720; County of Modoc, 5,565; County of Lassen, 5,330; County of Trinity, 4,990; County of Inyo, 4,360; County of Del Norte, 3,465; County of Mono, 2,775; County of Alpine, 490.

Adopted.

Also: Amend by striking out of section one hundred and fifty-seven, lines three, four, and five, and inserting the following: "as ascertained and determined in section ten, as follows, to wit."

Adopted.

By Senator Simpson:

Amend by adding to subdivision six, section one hundred and fifty-nine, line fifty-eight, after the words "per annum," the following: "which shall also be full compensation for all services rendered by him as License Tax Collector."

Adopted.

At ten o'clock and thirty minutes A. M. Hon. Orestes Orr, Senator from the Thirty-fifth Senatorial District, was called to the chair.

LEAVE OF ABSENCE.

Senator Holloway was granted a leave of absence for the day, on motion of Senator McGowan.

By Senator Gleaves:

Amend by striking out of section one hundred and eighty-five, lines twenty-one to twenty-nine, inclusive.

Adopted.

Also: Amend section one hundred and eighty-five, line five, by inserting the following: "which shall be in full for all services as License Collector."

Adopted.

Senator Hoyt was granted unanimous consent to withdraw the following amendment to Assembly Bill No. 959, which was adopted on Saturday last:

Amend by striking out of section one hundred and sixty-nine, subdivisions thirteen and fourteen thereof, and inserting the following:

"13. Justices of the Peace, the following monthly salaries, to be paid each month, as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases:

"In townships having a population of six thousand or more, one hundred dollars per month; in townships having a population of two thousand nine hundred and less than six thousand, seventy-five dollars; in townships having a population of two thousand three hundred and less than two thousand nine hundred, fifty-five dollars; in townships having a population of one thousand four hundred and less than two thousand three hundred, thirty dollars; in townships having a population of nine hundred and less than one thousand four hundred, twenty dollars; in townships having a population of seven hundred and less than nine hundred, fifteen dollars; in townships having a popu-

lation of less than seven hundred, ten dollars. Each Justice must pay into the County Treasury, once a month, all fines collected by him. In addition to the monthly salary allowed herein, each Justice may receive for his own use such fees as are now or hereafter may be allowed by law, for all services performed by him in civil actions.

"14. Constables, the following salaries, which shall be paid monthly, as salaries of county officers are paid, and which shall be in full for all services rendered by them in criminal cases, to wit:

"In townships having a population of two thousand nine hundred or more, one hundred dollars.

"In townships having a population of two thousand three hundred and less than two thousand nine hundred, sixty-five dollars.

"In townships having a population of one thousand four hundred and less than two thousand three hundred, fifty dollars.

"In townships having a population of nine hundred and less than one thousand four hundred, thirty dollars.

"In townships having a population of seven hundred and less than nine hundred, fifteen dollars.

"In townships having a population of less than seven hundred, ten dollars.

"In addition to the monthly salary allowed herein, each Constable may receive and retain for his own use such fees as are now or hereafter may be allowed by law, for all services performed by him in civil actions.

"The population of the several judicial townships shall be ascertained by the Board of Supervisors, as the population of counties is ascertained in section one hundred and fifty-seven of this Act."

Amendment withdrawn.

Senator Seawell offered the following amendment to the amendment offered by him, and adopted on Saturday last:

Amend section one hundred and ninety-six, subdivision fourteen, by striking out the following words: "as the population of counties is ascertained in section one hundred and fifty-seven of this Act," and inserting in lieu thereof the following words: "by multiplying the vote for Governor cast in each township at the next preceding general election by five."

Adopted.

By Senator Hart:

Amend by striking out of section twenty-five, line two hundred and thirty-three, the words "such county officer," and inserting the following: "the Printing Committee of said Board."

Lost.

By Senator Seymour:

Amend by inserting in section one hundred and sixty-seven, after the word "annum," in subdivision two, the following: "and the fees or commissions for the service of all papers whatsoever, issued by any Court outside of his county."

Adopted.

By Senator Gleaves:

Amend section two hundred and eight, line nine, by inserting after the words "the Tax Collector, one thousand dollars per annum," the words "which shall be in full compensation as Tax Collector and ex officio License Collector."

Adopted.

By Senator Linder:

Amend by adding to section one hundred and seventy, after line forty-eight, the words "no fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class."

Adopted.

Also: Amend by adding to section two hundred and eleven, after line twenty-three, the words "no fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class."

Adopted.

At ten o'clock and forty-five minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

By Senator Pedlar:

Amend by striking out of section two hundred and two, line twenty-nine, the words "as provided in section one hundred and fifty-seven."

Also: From line thirty the words "of this Act," and insert the following: "by multiplying by five the vote cast for Governor in each township at the next preceding general election."

Adopted.

By Senator Voorheis:

Amend by adding to the end of section two hundred and thirteen, the words "*provided*, that no fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class."

Adopted.

Also: Amend by adding to section one hundred and eighty-eight, after line eleven, the words "*provided*, that no fees or compensation, other than the compensation provided for in this section, be allowed the Sheriff or Tax Collector for the collection of licenses in counties of this class."

Adopted.

Also: Amend by adding to section one hundred and eighty-nine, after line nine, the words: "*provided*, that no fees or compensation, other than the compensation provided for in this section, be allowed the Sheriff or Tax Collector for the collection of licenses in counties of this class."

Adopted.

Also: Amend by striking out of section one hundred and eighty-nine, line twenty-one, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-nine, line twenty, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-nine, line fourteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-nine, line fifteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-nine, line twenty-two, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

By Senator Hart:

Amend by adding to section two hundred and fifteen, at the end thereof, the following: "*provided*, that in any county where the number of Judges of the Superior Court shall have been increased since the first day of January, eighteen hundred and ninety-five,

or shall hereafter be increased, there must be and there hereby is allowed to the Sheriff of such county, by reason of such increase, one additional deputy, to be appointed by the Sheriff, at a salary not exceeding fifteen hundred dollars per annum, to be paid at the same time and in the same manner as other county officers are paid; and also there must be and is hereby allowed to the County Clerk of such county, one additional deputy to act as court-room clerk, and one additional deputy to act as register clerk, for each Judge so appointed or elected, at a salary not exceeding fifteen hundred dollars per annum for each of said deputies, to be paid at the same time and in the same manner as other county officers are paid; *provided*, there must be but one such additional register clerk where two additional Judges are elected or appointed, and but two such additional register clerks where three or more additional Judges are elected or appointed; the said deputies being the same deputies provided for by section two hundred and sixteen of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 24, 1893."

Adopted.

LEAVE OF ABSENCE.

At ten o'clock and fifty minutes A. M. Senator Gleaves was granted a leave of absence for fifteen minutes.

By Senator Ford:

Amend by adding at the end of section one hundred and seventy-seven, the words "*provided*, that no fees or compensation, other than the compensation provided for in this section, be allowed the Sheriff or Tax Collector for the collection of licenses in counties of this class."

Adopted.

Senator Withington, on behalf of Senator McAllister, was granted unanimous consent to withdraw the following amendment to Assembly Bill No. 959, adopted on Saturday last:

Amend section one hundred and eighty-three, line nineteen, by adding after the word "law," the following: "Constables of townships having more than two thousand and less than twenty-five hundred population, forty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"Constables of townships having more than fifteen hundred and less than two thousand population, thirty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"Constables of townships having more than one thousand and less than fifteen hundred population, twenty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"Constables of townships having more than five hundred and less than one thousand population, fifteen dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year.

"The population of any township shall be ascertained in the same manner as the population of the different counties of the State under this Act."

Amendment withdrawn.

Senator Withington offered the following amendment in lieu of the above:

Amend by striking out of section one hundred and eighty-three, line nineteen, and inserting the following:

"14. Constables of townships numbers one, two, and eight, forty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases.

"Constables of townships numbers five, nine, and ten, thirty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed in civil cases.

"Constables of townships numbers three, four, and six, twenty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases.

"Constables of township number seven, fifteen dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases."

Adopted.

Senator Simpson, on behalf of Senator Burke, was granted unanimous consent to withdraw the following amendment to Assembly Bill No. 959, adopted on Saturday last:

Amend by striking out of section one hundred and seventy-two, line twenty, the words "one thousand eight hundred," and inserting the following: "two thousand."

Amendment withdrawn.

Senator Simpson offered the following amendment in lieu of the above:

Amend section one hundred and seventy-two, line fifteen, by inserting the following at the close of line fifteen: "which shall also be in full for all services rendered by him as License Collector."

Adopted.

By Senator Earl:

Amend by inserting in section fifty-five, line one, after the word "Recorder," the words "a License Collector."

Adopted.

By Senator Ford:

Amend by adding to section twenty-five, subdivision twenty-two, the words "except of such matters as will appear in the semi-annual statement."

Lost.

Also: Amend by striking out of section fifty-six, lines three and four, the words "and in townships having a population less than three thousand," and inserting the following at the end of said section: "The Board of Supervisors shall have power, whenever they may deem it for the good of their county, to allow only one Justice of the Peace and one Constable in any judicial township having a population of less than three thousand inhabitants."

Lost.

Also: Amend by striking out of section fifty-six, line three, the word "three," and inserting the following: "one."

Lost.

Also: Amend by striking out of section fifty-six, lines three and four, the words "three thousand," and inserting the following: "fifteen hundred."

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment, by Senators Orr, Shippee, and Hoyt.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Earl, Flint, Ford, Gleaves, Mahoney, Seymour, Voorheis, and Whitehurst—8.

NOES—Senators Bert, Burke, Dunn, Fay, Franck, Hart, Hoyt, Langford, Mathews, McGowan, Mitchell, Orr, Seawell, Smith, and Withington—15.

Also: Amend by striking out of section fifty-six, line three, the word "three," and inserting the following: "two."

Lost.

Also: Amend section fifty-six by inserting after the word "thousand," in line four, the words "except in townships where the township officers receive no salary other than the fees allowed by law."

Lost.

By Senator Flint:

Amend by inserting in section one hundred and ninety-nine, line nine, after the words "per annum," the following: "which shall include all fees as License Collector."

Adopted.

By Senator Voorheis:

Amend by striking out of section fifty-six, line three, the words "three thousand," and inserting the following: "two thousand five hundred."

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment, by Senators Orr, Dunn, and Seymour.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Earl, Ford, Seymour, Shine, and Voorheis—5.

NOES—Senators Aram, Bert, Burke, Dunn, Fay, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mathews, Orr, Seawell, Shippee, Smith, Toner, Whitehurst, and Withington—19.

By Senator Seawell:

Amend by adding to the end of section one hundred and thirty-nine, the following: "*provided*, that nothing in this section shall prevent competition on any specific work exceeding a cost of two thousand dollars."

Adopted.

At eleven o'clock and fifty minutes A. M. Senator Orr moved that the hour of recess be extended for twenty minutes.

So ordered.

By Senator McGowan:

Amend section one hundred and sixty-eight, line nine, after the word "annum," by inserting the following: "*provided*, that as such Tax Collector, or as ex officio License Collector, he shall not have or receive any compensation for, or percentage upon, the collection of any license."

Adopted.

Also: Amend section two hundred and twelve, line nine, after the word "annum," by inserting the following: "*provided*, that as such Tax Collector, or as ex officio License Collector, he shall not have or receive any compensation for, or percentage upon, the collection of any license."

Adopted.

By Senator Gleaves:

Amend by striking out of section two hundred and eight, lines nineteen and twenty, the words "twenty cents per mile for traveling to and from his residence," and inserting the following: "twenty-five cents per mile for traveling one way only."

Adopted.

By Senator Shippee:

Amend by adding after the word "annum," in section one hundred and ninety-three, subdivision nine, the words "and five per cent on all licenses collected by him as License Collector."

Adopted.

By Senator Earl:

Amend by striking out of section one hundred and sixty, line forty, the word "fifty," and inserting the following: "forty."

Adopted.

Also: Amend by striking out of section one hundred and sixty, line forty-five, the words "fifty-five," and inserting the following: "forty."

Adopted.

Also: Amend by striking out of section one hundred and sixty, line forty-five, the words "ten thousand," and inserting the following: "seventy-five hundred."

Adopted.

Also: Amend by striking out of section one hundred and sixty, lines fifty and fifty-one, the words "of not less than four thousand and under ten thousand," and inserting the following: "under seventy-five hundred."

Adopted.

Also: Amend by striking out of section one hundred and sixty, line fifty-six, the word "sixty," and inserting the following: "forty."

Adopted.

Also: Amend by striking out of section one hundred and sixty, lines sixty-four and sixty-five, the words "as ascertained by the official vote for Governor cast in said townships in the year eighteen hundred and ninety-five, multiplied by five," and inserting the following: "as shown and ascertained by the Federal census of eighteen hundred and ninety."

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the constitutional question as to whether the Legislature possesses the power in the County Government Bill to classify the counties of the State, according to any standard, except the Federal census of 1890, would report that, after consultation with the members of the Committee on County Government and Township Organization, the latter have submitted to them proposed amendments to sections ten and one hundred and fifty-seven of said bill, which, in the judgment of this committee, if adopted, will remove any question as to the constitutionality of the Act, and the classification therein provided for, and also the necessity for the amendment offered by Senator Earl. Your committee therefore reports that the bill, as so amended, satisfies the constitutional requirement, and it respectfully recommends that the said amendment to section two hundred and fifteen be withdrawn.

McGOWAN, Chairman.

Report adopted.

MOTIONS.

Senator Voorheis moved that the consideration of Assembly Bill No. 959 be made a special order for this day, at two o'clock P. M.

So ordered.

Senator Voorheis moved to take up messages from the Assembly.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on March eighth, passed Assembly Bill No. 241—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 241 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Also: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture for the forty-sixth fiscal year.

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Also: Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at lone.

Also: Assembly Bill No. 219—An Act appropriating fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 187, 665, 934, 917, 832, and 219 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Also: Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

S. J. DUCKWORTH, Chief Clerk.

Senator Hart moved that Assembly Bill No. 682 be taken up and read first time, without reference to committee.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 772 referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of March, passed Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 162 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and forty-two, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, and two thousand and five of said Code, all relating to the National Guard of California.

Also: Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Also: Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Also: Assembly Bill No. 168—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

S. J. DUCKWORTH, Chief Clerk.

Senator Bert moved that Assembly Bill No. 618 be taken up and read first time, without reference to committee.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and forty-two, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, and

two thousand and five of said Code, all relating to the National Guard of California.

Read first time, and ordered on file for second reading.

Assembly Bills Nos. 149, 225, and 168 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Senate be and hereby is respectfully requested to recall from enrollment, and withdraw from the Governor, Senate Bill No. 369, and immediately return the same to the Assembly, for the purpose of reconsideration and amendment of the bill.

S. J. DUCKWORTH, Chief Clerk.

RESOLUTION.

By Senator Voorheis:

Resolved, That the Enrolling Clerk be and hereby is directed to withdraw from the Governor, and return to the Senate, Senate Bill No. 369, and the Secretary is hereby directed to immediately transmit the same to the Assembly, in accordance with their request.

Adopted.

RECESS.

At twelve o'clock and fifteen minutes P. M. the President pro tem. declared a recess until two o'clock P. M., on motion of Senator Voorheis.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Earl:

Resolved, That Assembly Bills Nos. 526, 461, 834, 114, 627, 600, 605, 567, 624, 981, 152, 710, 711, 725, 616, 960, 439, 714, 246, 221, 171, 91, 708, 709, 542, 148, 568, 587, 794, 982, 877, 829, 601, 218, 889, 399, 418, 198, 120, 599, 606, 353, 262, 412, 592, 827, 961, 140, and 540 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times and placed upon their passage.

The roll was called, and the resolution adopted, and the above bills declared cases of urgency by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Franck, Gleaves, Henderson, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Langford—1.

SPECIAL ORDER.

Consideration of Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

AMENDMENTS—(RESUMED).

The following amendments were submitted:

By Senator Voorheis:

Amend by adding to the end of section two hundred and fourteen, after line twenty-two, the words: "*provided, however, that five per cent only shall be allowed the Sheriff, or Tax Collector, as fees for collecting licenses in counties of this class.*"

Adopted.

By Senator Gleaves:

Amend by striking out of section one hundred and eighty-six, line twenty-one, the word "five," and inserting the word "six."

Adopted.

At two o'clock and twenty minutes P. M. Hon. Eugene F. Bert, Senator from the Twentieth Senatorial District, was called to the chair.

Assembly Bill No. 959 ordered printed as amended, and on file for third reading.

MOTIONS.

Senator Withington moved that the further consideration of Assembly Bill No. 959 be made a special order for Wednesday next, immediately after reading the Journal.

So ordered.

On motion of Senator Withington, the Secretary was instructed to have two hundred and fifty extra copies of the bill, as amended, printed, and to have the same printed forthwith.

On motion of Senator Biggy, Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—was taken up, read the second time, and ordered placed at the head of the special Assembly file for third reading.

SPECIAL FILE OF ASSEMBLY BILLS—CASES OF URGENCY.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

SECOND AND THIRD READINGS OF BILL.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

During the second reading of the bill, the following amendment, suggested by the minority of the Committee on Education and Public Morals, was read:

Amend by adding to section one, the words: "*provided*, that this section shall not apply to the State University, Normal Schools, Deaf, Dumb, and Blind Asylum at Berkeley, or any other institution, board, or persons connected with the public school system of the State," and by striking out all of section three.

Upon the question of the adoption of the amendment, the roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Androus, Bert, Burke, Franck, Martin, Mathews, Orr, Pedlar, and Withington—9.

NOES—Senators Aram, Biggy, Denison, Dunn, Earl, Fay, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, McGowan, Mitchell, Seymour, Shine, Smith, Toner, Voorheis, and Whitehurst—21.

Senator Voorheis moved to amend as follows:

By striking out of section one, line three, the words "and persons," and inserting the following: "Trustees or Directors appointed by the Governor."

Lost.

Assembly Bill No. 526 read second time and ordered to third reading.

Assembly Bill No. 526 read third time.

At three o'clock and twenty-five minutes P. M. Hon. Orestes Orr, Senator from the Thirty-fifth Senatorial District, was called to the chair.

At three o'clock and twenty-nine minutes P. M. Senator Seymour moved that the time for considering Assembly Bills be extended until Assembly Bill No. 526 was disposed of.

So ordered.

Senator Ford moved that Senator Voorheis be appointed a special committee of one to amend the bill under consideration as follows:

Amend by inserting in section four, line three, after the words "Preston School of Industry," the following: "and all other institutions that receive financial aid from the Treasury of this State."

Lost.

The question being on the final passage of Assembly Bill No. 526.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Biggy moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Whereupon Senator Burke moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President pro tem. then declared Assembly Bill No. 526 finally passed by the following vote:

AYES—Senators Arms, Beard, Biggy, Burke, Dunn, Earl, Fay, Franck, Gleaves, Henderson, Hoyt, Langford, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—22.

NOES—Senators Aram, Androus, Bert, Denison, Hart, Holloway, Linder, Mahoney, Martin, Mathews, McGowan, Shine, and Smith—13.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Earl gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 526 was this day finally passed.

At three o'clock and fifty minutes P. M. Hon. Tirey L. Ford, Senator from the Third Senatorial District, in the chair.

MOTION.

Senator Hart, in compliance with his notice, given Saturday last, to move a reconsideration of the vote whereby Senate Bill No. 875 was passed, moved that the vote be reconsidered.

At four o'clock and fifteen minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Mathews moved a call of the Senate.

So ordered.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary announced that Senators Gesford, Franck, Martin, and McAllister were the only absentees.

The President directed the Sergeant-at-Arms to forthwith close the doors.

Senator Mathews moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President pro tem. then announced the vote upon the reconsideration of Senate Bill No. 875 as follows:

AYES—Senators Aram, Arms, Bert, Denison, Dunn, Earl, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Whitehurst, and Withington—25.

NOES—Senators Androus, Beard, Biggy, Burke, Fay, Flint, Franck, Langford, Martin, Mathews, Simpson, and Voorheis—12.

Whereupon the President declared the motion to reconsider carried.

FINAL PASSAGE.

Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

On motion of Senator Bert, the further consideration of Senate Bill No. 875 was set as a special order for to-morrow, immediately after the reading of the Journal.

RECESS.

At five o'clock and sixteen minutes p. m. the President pro tem. declared a recess until seven o'clock and thirty minutes p. m., on motion of Senator Burke.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Androus:

Resolved, That the provisions of the Constitution (section two, article four) relating to the time when bills may be introduced are hereby suspended, and permission is hereby granted to introduce Senate Bill No. 891.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—32.

NOES—None.

INTRODUCTION OF BILL.

By Senator Androus: Senate Bill No. 891—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Senator Mathews moved that Senate Bill No. 891 be now read the first time, without reference to committee.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 891—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Read first time.

MOTIONS.

Senator Ford moved that the further consideration of Senate Bill No. 891 be made a special order for Wednesday next, immediately after reading the Journal.

So ordered.

Senator Seawell moved that the consideration of Senate Bill No. 127 be postponed and made a special order for to-morrow, immediately after reading the Journal, and to have precedence over other special orders.

Senator Orr moved as an amendment (which was accepted by Senator Seawell) the consideration of the following special orders:

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Substitute for Senate Bills Nos. 314 and 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Consideration of Senator McGowan's resolution to make all bills on the special Assembly file cases of urgency, Saturday, March 9th, at two o'clock P. M.

Senate Bills Nos. 769, 800, 801, and 802—Acts to pay for publishing the constitutional amendments.

Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Consideration of the Governor's veto of Senate Bill No. 207—Monday, March 11, 1895, at two o'clock P. M.

Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1880.

Be postponed and made special orders for to-morrow, immediately after reading the Journal.

So ordered.

Senator Seawell moved that the notice of reconsideration of the vote by which Senate Concurrent Resolution No. 10, relative to adjournment *sine die*, was carried, be stricken from the file.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Beard:

Resolved, That Senate Bills Nos. 885 and 539 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—None.

At seven o'clock and fifty minutes P. M. Hon. Orestes Orr, State Senator from the Thirty-fifth District, was called to the chair.

WITHDRAWAL OF BILL.

On motion of Senator Seymour, Senate Bill No. 508—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties—was, with the unanimous consent of the Senate, withdrawn.

MOTION.

Senator Flint moved that Senate Bills Nos. 889 and 888 be read the first time, and made a special order for Tuesday morning, immediately after the reading of the Journal, to follow the other special orders.

So ordered.

FIRST READING OF BILLS.

The following bills were read first time, and ordered on file for second reading:

Senate Bill No. 889—An Act to appropriate money for the care of Yosemite Valley.

Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

LEAVE OF ABSENCE.

Senators McAllister, Flint, and Gesford were granted leave absence for the evening.

MOTION.

Senator Beard moved that Senate Bill No. 885 be now taken up and considered.

So ordered.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expense for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in any part, any street, square, lane, alley, court, or place within municipalities in this State.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 885.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Earl, Fay, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—27.
NOES—None.

Title read and approved.

MOTION.

On motion of Senator Beard, Senate Bill No. 885 was ordered immediately transmitted to the Assembly.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Read first time.

During the second reading of the bill, the following committee substitute was read:

An Act appropriating fifteen thousand dollars to pay the claim of Addie McGinnes.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of fifteen thousand dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the claim of Addie McGinnes.

SEC. 2. The Controller of State is hereby authorized and directed to draw his warrant in favor of Addie McGinnes, for the sum of fifteen thousand dollars, and the State Treasurer is hereby directed to pay the same.

SEC. 3. This Act shall take effect from and after its passage and approval.

Substitute adopted.

The following committee amendments to the Substitute for Senate Bill No. 539 were read:

Amend title by striking out the words "fifteen thousand," and inserting "seven thousand five hundred."

Adopted.

Also: Amend section one, substitute, by striking out the words "fifteen thousand," and inserting "seven thousand five hundred."

Adopted.

Also: Amend section two, substitute, by striking out the words "fifteen thousand," and inserting "seven thousand five hundred."

Adopted.

Senator Ford moved to amend as follows:

By striking out of section three, the words "from and after its passage and approval," and inserting the following: "on the first day of July, 1895."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Also: Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making appropriation therefor.

Also: Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company, for wharfage illegally collected.

Also: Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Also: Committee Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

MOTIONS.

On motion of Senator Hart, Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code—was made a special order for to-morrow, at four o'clock P. M.

Senator Bert moved that Senate Bills Nos. 769, 800, 801, and 802 be taken up and read the second time.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 769—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Senate Bill No. 800—An Act to appropriate four thousand four hundred and eighty-eight dollars and forty-two cents as compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Senate Bill No. 801—An Act to appropriate five thousand six hundred and twenty-eight dollars and seventy-five cents as compensation to the "La Voce del Popolo," a newspaper published in the City and

County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Senate Bill No. 802—An Act to appropriate four thousand and seventy-five dollars and fifty cents as compensation to "Italian Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

During the second reading of the above bills, the following committee substitute was submitted and read:

SUBSTITUTE FOR SENATE BILLS Nos. 769, 800, 801, AND 802.

An Act making an appropriation of money to pay the claims of the "California Demokrat," "Le Franco Californien," "La Voce del Popolo," and the "Italian Publishing Company."

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of eight thousand dollars to pay the following claims: The California Demokrat Publishing Company, two thousand dollars; La Voce del Popolo, two thousand dollars; Le Franco Californien, two thousand dollars; the Italian Publishing Company, two thousand dollars.

SEC. 2. The Controller of State is hereby authorized to draw his warrants for the sums herein payable, and the Treasurer is directed to pay the same.

SEC. 3. This Act shall take effect immediately.

Substitute adopted.

Bill read second time, ordered printed and engrossed, and on file for third reading.

MOTION.

On motion of Senator Bert, the Substitute for Senate Bills Nos. 769, 800, 801, and 802 was made a special order for Wednesday next, immediately after reading the Journal.

SPECIAL URGENCY FILE.

Senate Bill No. 830—An Act to provide for the establishment of a Board of Examiners for the "California State Therapeutic Society."

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 526—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Read third time.

The question being on the passage of Senate Bill No. 526.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Arms, Andrews, Dunn, Hart, Henderson, Mahoney, Mitchell, Orr, Seymour, Shine, and Toner—11.

NOES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Franck, Gleaves, Holloway, Martin, Mathews, McGowan, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—22.

Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read third time.

The question being on the passage of Senate Bill No. 72.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mathews, Mitchell, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Senator Seymour was excused for the remainder of the evening.

THIRD READING OF BILL.

Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State, upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Read third time.

The question being on the passage of Senate Bill No. 566.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Voorheis, and Whitehurst—30.

NOES—None.

Title read and approved.

Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Passed on file, at request of the author.

THIRD READING OF BILL.

Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Read third time.

The question being on the passage of Senate Bill No. 806.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Bert, Burke, Dunn, Earl, Fay, Ford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—Senator Holloway—1.

Title read and approved.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 247.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Bert, Burke, Denison, Dunn, Ford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Fay, Senate Bill No. 29—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections—was substituted therefor on the file.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 889.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Fay, Assembly Bill No. 889 was ordered immediately transmitted to the Assembly.

Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as the "Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a secretary therefor; and to provide for the compensation and expenses of said commission and secretary, and to appropriate money therefor.

Passed temporarily on file.

Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, and directing the disposition of same.

Passed on file, in absence of the author.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Mathews, Senate Bill No. 634—An Act fixing the time for holding municipal elections in cities of the second class—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks—was substituted therefor on the file.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 733.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Denison, Dunn, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Martin, Mathews, Mitchell, Orr, Pedlar, Shine, Simpson, Smith, Voorheis, Whitehurst, and Withington—23.

NOES—None.

Title read and approved.

On motion of Senator Mathews, Senate Bill No. 733 was ordered immediately transmitted to the Assembly.

THIRD READING OF BILL.

Senate Bill No. 367—An Act to provide for the better protection and security of life and property, and for the appointment of an examining

engineer; to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineer.

Bill read third time.

The question being on the passage of Senate Bill No. 367.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Withington moved a call of the Senate.

So ordered.

The Secretary proceeded to call the roll.

Before the roll call was completed, Senator Mathews moved that the call of the Senate be dispensed with.

So ordered.

The Acting President pro tem. then announced that the Senate refused the passage of Senate Bill No. 367 by the following vote:

AYES—Senators Arms, Androus, Dunn, Henderson, Linder, Mahoney, and Mitchell—7.
NOES—Senators Beard, Biggy, Burke, Denison, Earl, Fay, Franck, Gleaves, Hart, Holloway, Hoyt, Martin, Mathews, Orr, Pedlar, Shine, Shippee, Simpson, Whitehurst, and Withington—20.

Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Passed on file at request of the author.

MOTION.

Senator Ford moved that Senate Bill No. 506, number five hundred and fifty-three on to-day's file, and Assembly Bill No. 335, number five hundred and fifty-nine on to-day's file, be substituted one for the other, on the special urgency file.

So ordered.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Bill read first, second, and third times.

The question being on the final passage of Assembly Bill No. 335.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundaries and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Read third time.

The question being on the passage of Senate Bill No. 560.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Simpson, Smith, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

• WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Arms, Senate Bill No. 530—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893—was substituted therefor on the file, the bills being identical.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 542.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Hart, Holloway, Hoyt, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Whitehurst, and Withington—21.

NOES—None.

Title read and approved.

Senate Bill No. 817—An Act for the benefit of Robert B. Young, for work done upon the buildings of the Whittier State School, at Whittier, California, and for money expended in paying for insurance on the same, and to make an appropriation for the same.

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Read third time.

The question being on the passage of Senate Bill No. 527.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Henderson, Holloway, Hoyt, Martin, Mathews, McTiowan, Mitchell, Orr, Pedlar, Seawell, Shine, Simpson, Whitehurst, and Withington—26.
NOES—None.

Title read and approved.

Senator Withington gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 527 was this day passed.

Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Passed on file, to retain its place, on motion of Senator Bert.

Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Passed on file, to retain its place, on motion of Senator Ford.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 587.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Ford, Gleaves, Hart, Holloway, Hoyt, Linder, Martin, McTiowan, Mitchell, Orr, Pedlar, Seawell, Shine, Smith, Toner, Voorheis, Whitehurst, and Withington—27.
NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Linder, Senate Bill No. 754—An Act to restrict gaming—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one—was substituted therefor on the file.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 353.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Dunn, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Read first and second times, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 843.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Simpson, Toner, Voorheis, and Whitehurst—29.

NOES—None.

Title read and approved.

CONSIDERATION OF ASSEMBLY BILL No. 959—(RESUMED).

Senator Aram was granted unanimous consent to withdraw the following amendments to Assembly Bill No. 959:

Amend by inserting in section one hundred and eighty-one, line twenty-two, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Also: Amend by inserting in line twenty-six of the same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Also: Amend by inserting in section one hundred and ninety-four, line twenty-five, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Also: Amend by inserting in line twenty-nine, same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Also: Amend by inserting in section two hundred and one, line twenty-five, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Courts."

Also: Amend by inserting in line twenty-nine of the same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Senator Voorheis moved to amend Assembly Bill No. 959 as follows:

Amend by striking out of section one hundred and eighty-eight, line twenty-four, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-eight, line twenty-three, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-eight, line twenty-two, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-eight, line nineteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Also: Amend by striking out of section one hundred and eighty-eight, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Adopted.

Assembly Bill No. 959 ordered to print as amended.

MOTION.

Senator Ford moved to take up Assembly messages.
So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed Messrs. McKelvey, Dixon, and Bachman a Committee of Conference on the part of the Assembly to consider Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—and requests that your honorable body appoint a like committee.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, reconsidered the vote by which Senate Bill No. 349 passed this House, and requests your honorable body to return said bill to this House for further action.

S. J. DUCKWORTH, Chief Clerk.

RESOLUTION—(OUT OF ORDER).

By Senator Hoyt:

Resolved, That the Enrolling Clerk be and he is hereby directed to withdraw from the Governor, and return to the Senate, Senate Bill 349, for the purpose of amending.

Adopted.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 564—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month the wages earned by such employe; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purposes of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Also: Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rate of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 564 referred to Committee on Labor and Capital.

Assembly Bill No. 702 ordered on file.

On motion of Senator Biggy, Assembly Bill No. 702 was referred to the San Francisco Delegation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1021—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to the engrossment and enrollment of bills and other documents, approved March 31, 1891.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 1021 ordered on file, on motion of Senator Voorheis.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing executed in this State.

Also: Assembly Bill No. 259—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Also: Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Also: Assembly Bill No. 506—An Act to amend section one of an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits."

Also: Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 25 ordered on file.

Assembly Bills Nos. 259 and 349 referred to Committee on Judiciary.

Assembly Bill No. 506 referred to Committee on Banks and Banking.

Assembly Bill No. 280 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of March, passed Assembly Bill No. 945—An Act relating to grand juries, enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

Also: Assembly Bill No. 937—An Act to authorize State agricultural societies under control of the State, to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied,

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 945 referred to Committee on Judiciary.

Assembly Bill No. 937 ordered on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SHIPPEE, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 591—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893—have had the same under consideration, and respectfully report the same back without recommendation.

ARAM, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Concurrent Resolution No. 16—Relative to amending section four of article four, relative to the Judicial Department.

Also: Senate Concurrent Resolution No. 15—Proposing an amendment to section four of article four of the Constitution, relative to the Judicial Department.

Have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 839—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School at Los Angeles, California.

Also: Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Lone.

Also: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriations for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEDLAR, Chairman.

On motion of Senator Linder, Senate Constitutional Amendment No. 26 was made a special order for Wednesday next, immediately after reading the Journal.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

WHEREAS, A resolution was regularly adopted by the Senate, in the early part of the session, directing the Secretary of State to deliver to L. F. Blackburn, Sergeant-at-Arms of the Senate, forty-five copies of the Codes and Constitution of California, for the use of the Senators and officers of the Senate; and whereas, the Secretary of State, in accordance with said resolution, delivered to the Sergeant-at-Arms such Codes and Constitution; and whereas, said Sergeant-at-Arms directed his assistants to deliver said Codes and Constitution to the members of the Senate and officers thereof; and whereas, the Codes and Constitution so directed to be delivered to Senators Shippee, Dunn, Whitehurst, and Voorheis, were duly left upon the desks of said Senators, and were by some person or persons unknown abstracted therefrom; and whereas, the Sergeant-at-Arms, at his own expense, duplicated the order for four sets of such Codes and Constitution, which he delivered to the above named Senators; therefore,

Resolved, That the Controller be and he is hereby directed to draw a warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of forty-five dollars, per vouchers hereto attached, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

SAN FRANCISCO, CAL.

L. F. Blackburn, Sergeant-at-Arms, Senate, to Bancroft-Whitney Co., Dr.:

Jan. 23—One set Pocket Codes and sup., five vols.	\$11 25
Jan. 23—One set Pocket Codes and sup., five vols.	11 25
Jan. 29—One set Pocket Codes and sup., five vols.	11 25
Mar. 11—One set Pocket Codes and sup., five vols.	11 25
Total	\$45 00

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At ten o'clock and fifty minutes P. M., the Senate, on motion of Senator Mahoney, adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 12, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Gleaves.

LEAVE OF ABSENCE.

Senator McAllister was granted a leave of absence for the day, on motion of Senator Fay.

APPROVAL OF JOURNAL.

The Journal of Friday, March 8, 1895, was approved.

SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

By Senator Flint:

SENATE CONCURRENT RESOLUTION No. 17.

WHEREAS, The Mexican International Exposition of Industries and Arts has been duly organized, and will be opened in the Inter-Republic of Mexico in the year 1896; and whereas, the Governor of California has appointed certain Commissioners to the said International Exposition; and whereas, it is for the best interests of this State that a full and creditable exhibit should be sent to said International Exhibition; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the Chief Executive of the State of California be requested to invite all public and private institutions of this State, as well as the industrial and artistic representatives of this commonwealth, to exert themselves to make at the Mexican International Exposition the most creditable and complete exhibition possible, so that the products and resources of California may be attractively brought before the favorable notice of the people of Mexico, and the visitors to their Exposition.

Senate Concurrent Resolution No. 17 read.

The roll was called, and Senate Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mathews, Mitchell, Orr, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Martin—1.

MOTION.

Senator Hoyt moved that the consideration of Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts—be made a special order for Wednesday next, immediately after reading the Journal.

So ordered.

CONSIDERATION OF ASSEMBLY BILL No. 959—(RESUMED).

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

The following amendments were submitted:

By Senator Beard:

Amend by striking out of section one hundred and sixty, lines forty-five to fifty-four, inclusive, and inserting after the word "provided," in line forty-four, the following: "and in all other townships in counties of this class, Justices of the Peace shall each receive a salary of eighty-five dollars per month in full for all services rendered by them in criminal cases or proceedings or cases or proceedings to which the State or county shall be a party, and such fees as are now or hereafter may be allowed by law in civil cases except as herein provided."

Adopted.

Also: Amend by striking out of section one hundred and sixty, lines fifty-six to fifty-nine, inclusive, and inserting the following: "in all townships in counties of this class there shall be allowed in addition to said fees a salary of one hundred dollars per month to each Constable for services rendered in criminal cases."

Adopted.

By Senator Gesford:

Amend section two hundred and three by striking out all of lines sixteen, seventeen, twenty, twenty-one, and twenty-two, after the word "fees," and inserting after the word "fees," in each of said lines, the words "as were allowed by law on the first day of January, eighteen hundred and ninety-five."

Adopted.

Also: After the word "dollars," in line twenty-seven of section two hundred and three, add the following: "The provisions of subdivisions nine, ten, twelve, thirteen, fourteen, and fifteen of this section shall take effect immediately, and all other subdivisions of this section shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-nine."

Adopted.

Assembly Bill No. 959 ordered to print as amended.

MOTIONS.

Senator Mathews moved that Senate Joint Resolution No. 15—Relating to appointing delegates to the dedication of the Chickamauga and Chattanooga National Military Park—be referred to the Committee on Finance.

So ordered.

Senator Langford moved that Senate Bill No. 255—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts—be made a special order for to-day, to follow other special orders set for this morning.

So ordered.

At ten o'clock and forty minutes A. M. Hon. Sylvester Smith, Senator from the Thirty-fourth Senatorial District, was called to the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Simpson:

Resolved. That Senate Bill No. 809—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 809 declared a case of urgency by the following vote:

AYES—Senators Aram, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Frank, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—29.

NOES—None.

SPECIAL ORDERS.

Substitute for Senate Bills Nos. 314 and 554—An Act to require the payment of certain moneys by insurance companies not organized

under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

Temporarily passed on file, and on motion of Senator Seymour made a special order for to-day, at three o'clock and thirty minutes P. M.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Read third time.

The question being on the passage of Senate Bill No. 763.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Hart, Henderson, Hoyt, Langford, Linder, Martin, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Read first and second times, considered engrossed, and read a third time.

The question being on the passage of Senate Bill No. 127.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

CONSIDERATION OF GOVERNOR'S VETO OF SENATE BILL No. 207.

Senate Bill No. 207—An Act to regulate the sale of milk.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Senators Denison, Pedlar, and Withington—3.

NOES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Toner, Voorheis, and Whitehurst—31.

At eleven o'clock and five minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

MOTION.

On motion of Senator Fay, the consideration of Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid—was postponed and made a special order for Thursday next, immediately after reading of the Journal.

SECOND READING OF BILL.

Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1880.

Read second time, ordered engrossed, and on file for third reading.

MOTIONS.

Senator Toner moved that the further consideration of Senate Bill No. 853 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

On motion of Senator Mathews, the consideration of Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same—was postponed and made a special order for to-morrow, immediately after reading the Journal.

At eleven o'clock and twenty minutes A. M. Hon. Orestes Orr, Senator from the Thirty-fifth District, was called to the chair.

SECOND READING OF BILL.

Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Read second time, ordered engrossed, and on file for third reading.

MOTION.

On motion of Senator Langford, the further consideration of Senate Bills Nos. 888 and 889 was made a special order for Wednesday next, at three o'clock and thirty minutes P. M.

SECOND READING OF BILL.

Senate Bill No. 255—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

During the second reading of the bill, the following committee amendment was offered:

Amend by inserting in section one, line five, the word "levees," after the words "swamp land."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

RESOLUTIONS—(OUT OF ORDER).

By Senator Hoyt:

Resolved, That the Secretary of Senate be directed to return to the Assembly Senate Bill No. 349, for the purpose of amendment and correction.

Adopted.

By Senator Voorheis:

Resolved, That after March 12, 1895, speeches be limited to three minutes on all matters coming before the Senate.

Adopted.

REPORT OF COMMITTEE OF CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee of Conference, to confer with a like committee from the Assembly on Assembly Bill No. 132, beg leave to report that the Senate adheres to the Senate amendment, and ask for a free conference and the appointment of such committee.

HOLLOWAY.
BIGGY.
WITHINGTON.

PETITIONS.

Senator Seawell presented the following petition, and the same was ordered printed in the Journal:

To the Senate and Assembly of the State of California:

The undersigned, property owners of the city of Sacramento, owning property affected by Senate Bill No. 489, entitled "An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento," etc., hereby protest against the passage of said bill, and respectfully but earnestly request that the said bill be not passed. The city taxes of Sacramento City are higher than those of any other municipality in the State, and, in addition to the payment of these taxes, we have paid large sums for street improvement within the past two years, and to compel us now to participate in the improvement of the streets, as contemplated by Senate Bill No. 489, would work an extreme hardship upon us all, and in some cases would cause an absolute confiscation of our property. The prevailing depression in financial matters makes it impossible for some of the undersigned to raise the funds which will be required for the improvement of the streets directed by said bill; and this financial stringency, taken in consideration with the high taxes of Sacramento City, and the improvements we have already made, would render it impossible for us to comply at the present time with the provisions of the bill.

The number of feet owned by each signer hereto, and the street upon which the property of each is situated, is set opposite his name, respectively. Respectfully,

Mrs. M. E. Dickman, $S \frac{1}{2}$, of Lot 1, N and O, Tenth and Eleventh Streets; Mrs. Mary McCabe, E $\frac{1}{2}$ Lot 3, Tenth and Eleventh, N and O Streets; Mr. N. Kramer, N $\frac{1}{2}$ Lot 5, Fourteenth and Fifteenth, K and L Streets; Mrs. Kate Brown, Lot 6, 40 feet; Mrs. Clara W. Prentice, Lot 8, K and L, Fourteenth and Fifteenth Streets; George B. Blue, Lot 5, K and L, Thirteenth and Fourteenth Streets; George H. Jost, East $\frac{1}{2}$ Lot 6, and West $\frac{1}{2}$ Lot 5, K and L, Thirteenth and Fourteenth Streets; T. H. Cook, Lot 8, K and L, Thirteenth and Fourteenth Streets; Mrs. J. Brier, Lot 6, K and L, Twelfth and Thirteenth Streets; George F. Bronner, 120 feet, Lots 5 and 6, L Street; M. E. Bithell, East 37 feet of West $\frac{1}{2}$ of Lot 6, Eleventh and Twelfth Streets; Mrs. Mary Hart, 40 feet front at 1027 L Street; Mrs. Cordelia Burke, 50 feet front at 1023 L Street; Mrs. J. Fritz, 30 feet front at 1017 L Street; Mrs. J. Mahoney, 1013 L Street, 30 feet; A. Yule, Fifteenth and M Streets, Lot 1, 80x160 feet; Miss M. Fleming, 1024 N Street, 40x160 feet; Mrs. W. K. Cothrin, 1228 N Street, 80 feet; Frank Meckfessel, 1300 N Street, 120 feet; R. F. Scott, 1330 N Street, 40 feet; Miss Trumpler, 1400 N Street, 40 feet; Miss L. Harrison, 80 feet, L Street; A. H. Wilgus, 40 feet, 1406 N Street, Fourteenth and Fifteenth Streets; H. A. Gruhler, 160 feet, Fifteenth Street; John Weil, 30 feet, Tenth and Eleventh, L Street; Mrs. M. A. Mier, 30 feet, Tenth and Eleventh, L Street; Sparrow Smith, 160 feet, Fifteenth Street; Sparrow Smith, 40 feet, N Street; John Skelton, 80 feet, N Street; Sarah L. Johnson, by Hickman, 20 feet, 1015 L Street; E. B. Carroll, by Hickman, 38 feet, 1207 L Street; Curtis, Carmichael & Brand, agents, 80 feet, 1407 and 1409 L Street; E. J. Carraghar, 40 feet, 1326 N Street; John Blair, 40 feet, 1029 L Street; S. Roth, 40 feet, 1211 L Street; T. McCabe, $\frac{1}{2}$ Lot 4, N and O, Tenth and Eleventh Streets; F. C. Knauer, 55 feet, N, Tenth and Eleventh Streets; Mrs. Charles Relyea, 160 feet, Fifteenth Street; Mrs. M. J. Fay, North 45 feet, lot 8, K and L, Tenth and Eleventh Streets; M. J. Scanlan, 40 feet, N, Fourteenth and Fifteenth Streets.

This petition represents 2,605 feet frontage, fronting on N, L and Fifteenth Streets, and also represents two thirds of frontage on said streets.

Senator Mathews presented the following petition, and same was read and ordered printed in the Journal:

To the Senate and Assembly of the State of California, convened in legislative session, at Sacramento, March, 1895:

The undersigned, being a committee representing the fruit growers of California, send greeting.

We beg to submit to you the following propositions for your favorable consideration: That horticulture is the leading industry of this State, and that the prosperity of this State largely depends on the success of the horticulturists thereof.

That the successful extension of the industry of the horticulturists is contingent on the cheap transportation of its products.

That it has ever been one of the chief functions of civilized governments to provide for its citizens such high-roads as shall make transportation as easy and cheap as possible.

That railroads are such high-roads in this nineteenth century.

That permitting private ownership of these roads has created a gigantic monopoly, ruinous to the moral, political, physical, and pecuniary well-being of the citizens of California.

We therefore submit to you that there is no more imperative duty before you than that of passing such remedial measures as shall enable the people of this State to free themselves from the toils of this monopoly.

One such measure is Senate Bill No. 108, known as the "Mathews Bill," which, under specified conditions, empowers counties to build railroads through their limits, and to unite and connect with adjacent counties for the joint operation and maintenance of same. This bill we urge you to pass.

We also beg you to submit to the people for next election the question as to the advisability of this State buying up the whole existing railroad system within its limits (as Germany and other countries have done), and operating the same at cost for public use and benefit, paying therefor by bonds to be redeemed by a sinking fund of one half of one per cent per annum. This in eighty-three years would give the railroads to the people free of all fixed charges for interest.

That you may adopt these or other such measures as shall insure permanent prosperity to the people of this State, by relieving them from the oppression of a crushing monopoly, is the object of this memorial.

D. T. FOWLER,
EDWARD BERWICK,
A. R. SPRAGUE,

Committee appointed by the Fruit Growers' Convention held at Sacramento, November, 1894.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read :

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred Senate Bill No. 744—An Act to amend sections two thousand two hundred and ninety-three and two thousand three hundred and three of the Political Code—have had the same under consideration, and respectfully report the same back without recommendation.

EARL, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California for expenses incurred and rendered by order of the State Board of Forestry—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as the records in the office of the State Board of Examiners clearly show that the last payment of three hundred dollars to Ira H. Locey was in full for all services rendered to the State Board of Forestry by Ira H. and Henry Locey.

VOORHEIS, Chairman.

MOTION.

Senator Burke moved that the hour of recess be extended to twelve o'clock and thirty minutes P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Flint:

Resolved, That Senate Bills Nos. 739 and 887 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.

NOES—None.

CASES OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Read second time, considered engrossed, and read a third time.

The question being on the passage of Senate Bill No. 739.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seymour, Shine, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

Read first time.

During the second reading of the bill, Senator Earl offered the following amendment:

Amend by inserting before the words "section one," in section one, line one, the words "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Bill read second time, ordered to print as amended, considered engrossed, and on special urgency file for third reading.

On motion of Senator Burke, in compliance with notice given yesterday to move a reconsideration of the vote whereby Assembly Bill No. 526 was passed, the Senate proceeded to consider the same.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Earl, Flint, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Shine, Shippee, Simpson, and Smith—22.

NOES—Senators Beard, Biggy, Burke, Dunn, Fay, Gesford, Gleaves, Langford, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Toner, Whitehurst, and Withington—17.

MOTION.

Senator Burke moved that the further consideration of Assembly Bill No. 526 be made a special order for to-morrow, at two o'clock P. M.
So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 11, 1895. }

To the Senate of the State of California:

I hereby nominate Captain Amun Sevort, of San Diego, to be Pilot Commissioner for the Port of San Diego, vice S. W. Hackett, whose term is at the pleasure of the Governor, and ask the consent and approval of your honorable body.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 11, 1895. }

To the Senate of the State of California:

I hereby present for the concurrence and approval of your honorable body the nomination of Captain C. H. Davis, of San Diego, to be Port Warden of the port of San Diego, vice John Dillingham, deceased.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 11, 1895. }

To the Senate of the State of California:

I hereby present for your consideration the nomination of Mrs. Adina Mitchell, of Los Angeles, to be a Trustee of the Whittier State School, located at Whittier, in Los Angeles County, vice Francis L. Haynes, term expired, and ask your approval of and concurrence in the same.

JAMES H. BUDD, Governor.

MOTION.

Senator Mathews moved that the nomination of Mrs. Adina Mitchell, of Los Angeles, to be a Trustee of the Whittier State School, be confirmed.

The President pro tem. announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Mrs. Adina Mitchell, of Los Angeles, to the office of Trustee of the Whittier State School, at Whittier, California, to succeed Francis L. Haynes, term expired?"

By direction of the Chair, the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—37.
NOES—None.

Whereupon the Chair announced the appointment of Mrs. Adina Mitchell, of Los Angeles, to the office of Trustee of the Whittier State School, at Whittier, California, duly confirmed.

MOTION.

On motion of Senator Withington, the further consideration of the Governor's messages, relating to the nominations of Captain Amun Sevort and Captain C. H. Davis, were postponed, and made special orders for to-morrow evening, at seven o'clock and thirty minutes.

MESSAGES FROM THE GOVERNOR—(RESUMED).

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 9, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 196, 230, 155, 28, 51, 122, and 310.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 11, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 88.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 9, 1895. }

To the Senate of the State of California:

I hereby return, without my approval, Senate Bill No. 242, entitled "An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts," with my objections thereto.

The proposed amendments do not appear to me to be at the present time necessary. The incorporation in the amendment to section three thousand four hundred and eighty-one of the following language: "that the creation of the new district will leave the lands in the existing district in such condition that they can be reclaimed without any material increase in the expense per acre for the reclamation over and above the estimated expense per acre for the reclamation of the entire body of lands embraced within the existing district," would entail an injustice to many owners of swamp lands. It is a limitation on the power of the owners of two-thirds or more of any body or bodies of swamp and overflowed land within existing swamp and overflowed land districts in the creation of a new district, when by reason of location, natural defects, or insurmountable obstacles, a portion of the lands equal to one third therein, or less, cannot be reclaimed.

If the amendment should prevail, and there should be a district existing in which a portion of the land thereof cannot be reclaimed, then the owners of even two thirds or more of the land within the district, which might otherwise be made productive, cannot create out of the same a new district for the purpose of improving said land. In such cases they would be bound by this clause of the amending Act to allow the land to remain unreclaimed absolutely and for all time. The injustice that would flow from such a provision must be obvious to any fair-minded person who considers the matter. If the lands of the old district, not included in the new, could be reclaimed "without any material increase in the expense per acre for reclamation over and above the estimated expense per acre for the reclamation of the entire body of lands embraced within the existing district," what necessity can exist for the creation of a new district?

JAMES H. BUDD, Governor.

MOTION.

On motion of Senator Arms, the further consideration of the Governor's message (as relates to the Governor's veto of Senate Bill No. 242) was postponed, and made a special order for to-morrow evening, at seven o'clock and thirty minutes.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of March, passed Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Also: Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals, to do business in this State.

Also: Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 484—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations.

Also: Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Also: Assembly Bill No. 320—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 355 and 320 referred to Committee on Judiciary.

Assembly Bill No. 273 ordered on file, on motion of Senator Bert.

Assembly Bill No. 354 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 484 referred to Committee on Irrigation and Water Rights.

Senate Bills Nos. 129 and 780 ordered to enrollment.

RECESS.

At twelve o'clock and twenty minutes P. M. the President pro tem. declared a recess until two o'clock P. M., on motion of Senator Orr.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878—

have had the same under consideration, and respectfully report the same back without recommendation.

FAY, for Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 506—An Act to amend section one of an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DENISON, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Seymour:

Resolved, That Assembly Bills Nos. 618, 682, 702, 1021, 280, 937, 772, 591, 19, 832, 934, 917, and 580 each presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Peilar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

MOTION.

Senator Ford moved that Assembly Bill No. 953 be taken up and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 953—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

Read third time.

The question being on the final passage of Assembly Bill No. 953.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Seymour, and Whitehurst—28.

NOES—Senator Simpson—1.

Title read and approved.

On motion of Senator Ford, Assembly Bill No. 953 was ordered immediately transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY BILL No. 959—(RESUMED).

Senator Burke was granted unanimous consent to withdraw the following amendment to Assembly Bill No. 959, which was adopted on Saturday, March 9, 1895:

Amend by inserting in section one hundred and seventy-two, line fifteen, the words "inclusive also for all services rendered for licenses collected by him."

MOTION.

Senator Mathews moved that Senate Bill No. 106, number thirty-one on file, be made a special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS—CASES OF URGENCY—THIRD READING OF BILL.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read third time.

The question being on the final passage of Assembly Bill No. 6.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Mathews, McAllister, Mitchell, Seawell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—29.

NOES—Senators Holloway, Pedlar, and Smith—3.

Title read and approved.

PASSAGE OF BILL.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Beard, Denison, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Smith, Whitehurst, and Withington—24.

NOES—Senator Simpson—1.

Title read and approved.

MOTION.

Senator Seymour moved that Assembly Bill No. 702, number five hundred and thirty-three on file, and Assembly Bill No. 176, number four hundred and seventy-one on file, be substituted one for the other on the special urgency file of Assembly Bills.

So ordered.

FIRST AND SECOND READINGS OF BILL.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rate of fares on street railroads in cities

and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Read first time.

Section one read second time.

MOTION.

Senator Biggy moved to amend as follows:

Amend by striking out of section one, line six, the words "operated under different managements"; also, in line seven, insert the word "consecutive" between the words "five" and "blocks."

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment by Senators Biggy, Burke, and Bert.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Beard, Bert, Biggy, Burke, Fay, Gesford, Holloway, Langford, Mathews, McAllister, Seawell, Smith, and Voorheis—13.

NOES—Senators Aram, Arms, Androus, Denison, Dunn, Flint, Hart, Henderson, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, and Toner—18.

At three o'clock and five minutes P. M. Hon. Tiley L. Ford, Senator from the Third Senatorial District, was called to the chair.

Section two read second time.

MOTION.

Senator Biggy moved to amend as follows:

By inserting after the word "distance," in line four of section two, the words "within the city limits."

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment by Senators Biggy, Voorheis, and Langford.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Bert, Biggy, Burke, Fay, Holloway, Langford, Mathews, McAllister, Voorheis, Whitehurst, and Withington—11.

NOES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Earl, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, and Toner—21.

MOTION.

Senator Biggy moved to amend as follows:

Amend section two by striking out the word "general," in line six of said section.

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment by Senators Biggy, Voorheis, and Withington.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Bert, Burke, Fay, Franck, Holloway, McAllister, Seawell, Smith, Voorheis, Whitehurst, and Withington—11.

NOES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Simpson, and Toner—20.

MOTION.

Senator McAllister moved to amend as follows:

By striking out of section two, line four, the words "in cities or towns with more than one hundred thousand," and all of lines five and six, and on line seven the words "son, or corporation."

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment by Senators McAllister, Biggy, and Burke.

The roll was called, and the motion to amend lost by the following vote:

AYES—Senators Beard, Bert, Biggy, Burke, Fay, Gesford, Holloway, Langford, Mathews, McAllister, Smith, Voorheis, Whitehurst, and Withington—14.

NOES—Senators Aram, Arms, Androus, Denison, Dunn, Earl, Flint, Hart, Henderson, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Seymour, Shine, Simpson, and Toner—19.

Section three read second time.

MOTIONS.

At three o'clock and thirty minutes p. m., Senator Arms moved that the hour for consideration of Assembly Bills be extended until the matter under discussion is disposed of.

So ordered.

Senator Biggy moved to amend by striking out all of section three.

Senator McAllister moved as an amendment that the bill and proposed amendment be referred to the Judiciary Committee.

AYES AND NOES.

The ayes and noes were demanded on the motion to refer by Senators Biggy, Bert, and Burke.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Arms, Androus, and Martin—3.

NOES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—29.

The question then recurring on the adoption of the motion of Senator Biggy, to amend the bill by striking out all of section three.

AYES AND NOES.

The ayes and noes were demanded on the adoption of the amendment by Senators Seymour, Hoyt, and Biggy.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Dunn moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary stated that the only absentees were Senators Langford and Seawell.

The presiding officer directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

MOTION.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

AYES AND NOES.

Upon this question the ayes and noes were demanded by Senators Voorheis, Gleaves, and Whitehurst.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Orr, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—27.

NOES—Senators Denison, Dunn, Earl, Mahoney, McGowan, Pedlar, Shine, and Withington—8.

Whereupon the Sergeant-at-Arms was directed to open the doors of the Senate.

Senator Biggy made the following statement, and requested that his language be taken down by the Secretary, which was as follows:

Two years ago I came here from San Francisco into this body as a Senator. I have tried to do my duty in this Senate, both this session and last session of the Legislature. I came here to perform my duty conscientiously, and I think I have done so; at least I believe I have. I defy any one to say anything to the contrary.

At the last session of the Legislature I had not been here more than a week, when I was offered seven thousand dollars to stand in with a combination for everything there was. This session I was again offered, on the floor of this Senate, the same proposition, but the sum was eight thousand dollars, which I refused, and can prove my accusations.

I believe I was to take part in every cinch bill that was introduced at this session. Last night there were two of them knocked out. There were other bills, among them the water, gas, and telephone bills, and others I could mention if I so desired. It was understood the railroad was to settle with me when I went to San Francisco, after I left here at the end of the session. Two years ago I did not get that far. I did not mean to strike at all. I mention no names. The railroad came up here to try and repeal an Act that session. I could not stoop to anything, and I would not if I could. Now, I am not afraid of resigning my seat, and I stand before any people in the State of California in defense of the interests of San Francisco. I believe I have said everything. I do not know any name in that combination, and I do not want to know. I could not stoop to anything of this kind, nor I would not if I could. I say this without fear or favor. I accuse no man in this Senate of being in that combination except one man, and that is the one that asked me.

The presiding officer then announced the vote on the motion of Senator Biggy to amend section three, and declared the amendment adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—28.

NOES—Senators Androus, Denison, Dunn, Hart, Henderson, Linder, Mahoney, Mitchell, Seymour, and Toner—10.

Section four read second time.

Senator Seymour submitted the following amendment :

Amend by striking out of section four, line one, the figure "4," and inserting in lieu thereof the figure "3."

Adopted.

Assembly Bill No. 702 read second time.

Ordered printed as amended, and on special urgency file for third reading.

At four o'clock and five minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

SPECIAL ORDERS.

Substitute for Senate Bills Nos. 314 and 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

On motion of Senator Hart, the above special order was postponed and made a special order for to-morrow, at three o'clock and thirty minutes P. M.

MOTION.

Senator Voorheis moved that Assembly messages be taken up.
So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Also: Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Also: Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Also: Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expense for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in any part, any street, square, lane, alley, court, or place within municipalities in this State.

Also: Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded, in Santa Clara, and for the improvement of the same.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 798 and 799 referred to Committee on Public Buildings other than Prison Buildings.

Senate Bills Nos. 550 and 885 ordered to enrollment.

Assembly Bill No. 801 ordered on file, on motion of Senator Franck.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of March, amended, and passed as amended, Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled 'An Act concerning the water front of the City and County of San Francisco,'" approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1890," approved March 19, 1889.

S. J. DUCKWORTH, Chief Clerk.

Senator McGowan moved that the consideration of Assembly amendments to Senate Bill No. 709 be made a special order for to-morrow, immediately after reading the Journal, and that said amendments be printed in the Journal.

So ordered.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 709.

Amend section one, line thirty-seven, after the words "San Francisco," by inserting the following: "but the said lease shall not be assignable."

Also: Amend the amendment by adding thereto "without the written consent of the said Board of State Harbor Commissioners."

Also: Amend by adding to section one, line thirty, the following:

"Except as hereinafter provided.

"*Provided further*, that the Commissioners shall have power to lease, for a period not exceeding fifty (50) years, at a rental not exceeding one thousand dollars (\$1,000) per annum, to any railroad corporation incorporated in this State, and not having, at the date of the passage of this Act, any terminal facilities in the City and County of San Francisco, any land belonging to the State, which is required for said purposes, which lies adjacent or contiguous to any public street or streets designated upon the official map of the City and County of San Francisco; *provided*, that but one parcel of land shall be leased to any one railroad, nor shall said parcel exceed in area fifty (50) acres, with access thereto and right of way through one or more convenient street or streets, forming, however, but one continuous right of way, with double track; *provided*, that a condition shall be inserted in said lease, that said corporation or corporations shall proceed within six months from the date of said lease to improve said premises for said purposes, and proceed thereafter with reasonable diligence to construct such improvements, and in the event of failure to improve the same, or some part thereof, within the time specified, said lease shall be forfeited; *provided further*, that none of said leases shall be approved or executed unless by consent of a majority of said Board of State Harbor Commissioners, and for said purposes last named the Governor of the State and the Mayor of the City and County of San Francisco, ex officio members of said Board, are hereby constituted members thereof, with like powers and rights as other members of said Board."

Also: Amend the title as follows: By adding thereto the words "conferring further powers upon the said Board"; and also by changing the word "herein," in line twenty, of section one, into the word "hereinbefore."

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California—and respectfully ask your honorable body to recede from said amendments.

S. J. DUCKWORTH, Chief Clerk.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

During the second reading of the bill, Senator Hart moved to amend as follows:

Amend by adding to section two, line one, the figure "2" after the word "section."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

On motion of Senator Hart, Senate Bill No. 209 was made a special order for Thursday next, immediately after reading the Journal.

SPECIAL FILE—THIRD READING OF BILL.

Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Read third time.

The question being on the passage of Senate Bill No. 512.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Holloway, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, and Whitehurst—25.

NOES—Senators Androus, Gleaves, and Withington—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 512 was this day passed.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Denison, Senate Bill No. 788—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 917 substituted therefor on the file, the bills being identical, and Assembly Bill No. 917 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 917.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Henderson, Holloway, Martin, McAllister, Seymour, Shippee, Smith, Toner, Voorheis, and Whitehurst—21.

NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Orr, Senate Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 829 substituted therefor on the file, the bills being identical, and Assembly Bill No. 829 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 829—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 829.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Langford, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Voorheis, Senate Bill No. 792—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 934 substituted therefor on the file, the bills being identical, and Assembly Bill No. 934 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 934.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Martin, Mathews, McAllister, Mitchell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Seymour, Senate Bill No. 428—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 624 substituted therefor on the file, the bills being identical, and Assembly Bill No. 624 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 624.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Martin, Mathews, McAllister, Mitchell, Seawell, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

MOTION.

Senator Holloway moved that Senate Bill No. 280 be taken up and read third time.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Read third time.

The question being on the passage of Senate Bill No. 280.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Fay, Franck, Gesford, Gleaves, Hart, Holloway, Linder, Mahoney, Mathews, McAllister, McGowan, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—22.

NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Hart, Senate Bill No. 214—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 171 substituted therefor on the file, the bills being identical, and Assembly Bill No. 171 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 171.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Dunn, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Seawell, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

Senate Bill No. 617—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Passed on file, on motion of Senator Orr.

MOTION.

On motion of Senator Orr, Senate Bill No. 332 was taken up and read third time.

THIRD READING OF BILL.

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read third time.

The question being on the passage of Senate Bill No. 332.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mathews, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Voorhies, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

MOTION.

Senator Whitehurst moved that Senate Bills Nos. 330, 328, and 329 be taken up and read third time.

So ordered.

THIRD READING OF BILLS.

Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read third time.

The question being on the passage of Senate Bill No. 330.

The roll was called, and the bill passed by the following vote:

AYES—Senators Androus, Beard, Burke, Denison, Dunn, Fay, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Simpson, Toner, Voorheis, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read third time.

The question being on the passage of Senate Bill No. 328.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Dunn, Earl, Fay, Flint, Ford, Gleaves, Hoyt, Martin, Mathews, McAllister, Orr, Seawell, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—22.

NOES—None.

Title read and approved.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure, relating to legal holidays.

Read third time.

The question being on the passage of Senate Bill No. 329.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McAllister, Orr, Seawell, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

On motion of Senator Whitehurst, Senate Bills Nos. 330, 328, and 329 were ordered immediately transmitted to the Assembly.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Simpson, Senate Bill No. 838—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three

thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 982 substi-

tuted therefor on the file, the bills being identical, and Assembly Bill No. 982 was ordered read first time.

CASE OF URGENCY—FIRST READING OF BILL.

Assembly Bill No. 982—An Act to amend an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand

eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Read first time, and its further consideration was, on motion of Senator McGowan, made a special order for to-morrow, at three o'clock and thirty minutes P. M.

RECESS.

At five o'clock and sixteen minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M. on motion of Senator Bert.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Arms, Andrews, Board, Bert, Burke, Johnson, Dunn, Earl, Fay, Flint, Francis, Goodford, Gossens, Hart, Henderson, Holloman, Hunt, Linsford, Linder, Mahoney, Martin, Matthews, McAllister, McGowan, Mitchell, Orr, Foster, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorhees, Whitehurst and Withington.

Quorum present.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The President pro tem. announced the appointment of Senators Aram, Shippee, and Toner as the Committee of Free Conference on Assembly Bill No. 132.

The President pro tem. announced for consideration the Senate amendment to Assembly Bill No. 392, which the Assembly had refused to concur in, and had requested the Senate to recede therefrom, viz.:

Amend section one by inserting after the word "transact," in line two of printed bill, the word "fire."

MOTIONS.

Senator Bert moved that the Senate recede from its amendment to Assembly Bill No. 392.

Senator Voorheis moved as an amendment that the further consideration of the Assembly message be made a special order for two o'clock P. M. to-morrow.

So ordered.

On motion of Senator Bert, Senator Arms was granted consent to introduce the following resolution:

WHEREAS, Senator Biggy, on this day, made statements during a session of this Senate, wherein accusations were made against certain unnamed Senators as being in a "combine"; and whereas, at the same time Senator Biggy made use of the following language, which reflects upon the honor, integrity, and dignity of this Senate:

"Two years ago I came here from San Francisco into this body, as a Senator. I have tried to do my duty in this Senate, both this session and last session of the Legislature. I came here to perform my duty conscientiously, and I think I have done so; at least I believe I have. I defy any one to say anything to the contrary. At the last session of the Legislature, I had not been here more than a week when I was offered seven thousand dollars to 'stand in' with a combination for everything there was. This session I was again offered, on the floor of this Senate, the same proposition, but the sum was eight thousand dollars, which I refused, and can prove my accusations. I believe I was to take part in every cinch bill that was introduced at this session. Last night there were two of them 'knocked out.' There were other bills, among them the water, gas, and telephone bills, and others I could mention if I so desired. It was understood the railroad was to settle with me when I went to San Francisco, after I had left here at the end of the session. Two years ago I did not get that far. I did not mean to strike at all. I mention no names.

"The railroad came up here to try and repeal an Act that session. I could not stoop to anything, and I would not if I could.

"Now I am not afraid of resigning my seat, and I stand before any people in the State of California in defense of the interests of San Francisco. I believe I have said everything.

"I do not know any name in that combination, and I do not want to know. I could not stoop to anything of this kind, nor I would not if I could. I say this without fear or favor.

"I accuse no man in this Senate of being in that 'combination,' except one man, and that is the one that asked me."

AND WHEREAS, Said statements are of such a character as to cause widespread notoriety, and to lead the people of the State of California to infer that the Senate of this Legislature is and has been corrupt in its proceedings and actions; therefore, be it

Resolved, That a committee of five be appointed by the President pro tem. of the Senate to fully investigate the charge and words used by Senator Biggy, and that said committee is fully empowered to investigate said charge, and send for persons and papers, and is required to report to the Senate the result of its investigations.

MOTION.

Senator Burke moved that the further consideration of the above resolution be made a special order for to-morrow, immediately after reading the Journal.

Lost.

The question then recurring on the adoption of the resolution.

The same was adopted.

SPECIAL URGENCY FILE—THIRD READING OF BILL.

Senate Bill No. 830—An Act to provide for the establishment of a Board of Examiners for the "California State Therapeutic Society."

Read third time.

The question being on the passage of Senate Bill No. 830.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Androus, Martin, Mitchell, Smith, and Toner—5.

NOES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Franck, Hart, Henderson, Hoyt, Langford, Mahoney, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, and Whitehurst—26.

NOTICE OF MOTION TO RECONSIDER.

Senator Earl gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 830 was this day refused passage.

Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Passed on file, at request of author.

Substitute for Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Passed on file, at request of author.

Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a secretary therefor; and to provide for the compensation and expenses of said commission and secretary, and to appropriate money therefor.

Passed on file, at request of author.

Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of the same.

Passed on file, at request of author.

Senator Withington, in compliance with his notice given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 527 was passed, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.

NOES—None.

Senator Beard moved that Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887—be referred to Senator Withington, as a special committee one, with instructions to amend the bill as follows:

Amend section eight, line five, by inserting after the word "half," both times, the words "of such fine."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 527, with instructions to amend, respectfully reports the same back, amended as per instructions.

WITHINGTON, Committee.

Report of committee of one and amendment adopted.
Senate Bill No. 527 ordered printed as amended.

MOTION.

Senator Beard moved that Senate Bill No. 527 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

LEAVE OF ABSENCE.

At eight o'clock p. m. Senator Seymour was granted a leave of absence for the evening.

THIRD READING OF BILL.

Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read third time.

Senator Linder moved that Senate Bill No. 862 be referred to Senator Gesford, as a special committee of one, with instructions to amend the bill as follows:

Amend section one to read as follows:

"SECTION 1. Section six of the Act, the title of which is recited aforesaid in the title of this Act, is hereby amended to read as follows:

"Section 6. All municipal bonds for public improvements, issued under the provisions of this Act, shall be of the character of bonds known as serials, and shall be payable in gold coin, lawful money of the United States, of the standard of weight and fineness specified in said bonds, in the manner following: One fortieth part of the whole amount of indebtedness shall be paid each and every year, on a day and at a place to be fixed by the legislative branch of the municipality issuing the bonds, together with the interest on all sums unpaid at such date. The bonds shall be issued in such denominations as the legislative branch of the municipality may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars each, payable on the day and at the place fixed in such bonds, and with interest at the rate specified in the bonds, which rate shall not be in excess of the legal rate of the State of California, and may be payable annually or semi-annually; *provided*, that such legislative branch may make the interest for the first year payable twelve months from the date of the bonds, and the interest for the remainder of the term of said bonds pay-

able semi-annually. Such bonds may be issued and sold by the legislative branch of the city, town, or municipal corporation, as they may determine, at not less than par in gold coin of the United States, and the proceeds of such sale shall be placed in the municipal treasury to the credit of the proper improvement fund, and shall be applied exclusively to the purpose and objects mentioned in the ordinance until such objects are fully accomplished, after which, if any surplus remains, such surplus shall be transferred to the General Fund of such municipality; *provided*, that bonds may also be issued under the provisions of this Act in an aggregate amount not exceeding twenty thousand dollars for any one municipality, the whole or any part of the principal of which shall be payable at such time less than forty years as may be designated by such legislative branch. When calling a special election to submit to the electors the question of issuing bonds, under the provisions of this Act, one fortieth part of the principal of which is not to be payable each year, but the principal of which is to be payable at such time or times as the said legislative branch shall designate, such legislative branch shall, in the ordinance calling such election, designate when the whole or any part of the principal of such bonds shall be payable."

Amend section two to read as follows:

"SEC. 2. Section eight of the Act, the title of which is recited in the title of the Act, is hereby amended to read as follows:

"Section 8. The legislative branch of said city, town, or municipal corporation shall, at the time of fixing the general tax levy, and in the manner for such general tax levy provided, levy and collect annually each year, until all of said bonds are paid, a tax sufficient to pay the interest on said bonds for the year, and the interest accruing thereon before the collection of the next subsequent taxes, and also the part of the principal of such bonds as is to become due and payable such year, and before the next subsequent taxes are collected; *provided*, that such legislative branch may levy the taxes to pay the first annual interest, or any part thereof, and the first installment of principal before the issue and sale of said bonds; *and also provided*, that such legislative branch may make provision before the issue of such bonds, for the payment of all or any part of the first year's interest on said bonds, by setting aside out of the municipal treasury to that purpose any money therein; and such legislative branch shall, before or at the time of the issue of such bonds, make provision for the collection of an annual tax sufficient to pay the annual interest as it becomes due on such bonds, and shall also make provision to constitute a sinking fund to pay the principal of said bonds on or before maturity. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected."

Amend section three to read as follows:

"SEC. 3. All bonds issued in pursuance of an election held before the approval of this Act, under the provisions of the Act of which this is amendatory, shall be valid and binding in the same manner as, and to the same extent as, if this Act amendatory of the Act, the title of which is recited in the title of this Act, had not been passed, and this Act shall not render invalid any bonds so issued, but any municipality issuing such bonds may take advantage of the provisions of this Act."

* So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 862, with instructions to amend as per instructions of Senator Linder, respectfully reports the same back, amended as per instructions.

GESFORD, Committee.

Report of committee of one and amendment adopted.
Senate Bill No. 862 ordered printed as amended.

MOTION.

Senator Linder moved that the further consideration of Senate Bill No. 862 be made a special order for to-morrow, at seven o'clock and thirty minutes P. M.

So ordered.

Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Passed on file.

Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Passed on file.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Read first time.

During the second reading of the bill, the following committee amendment was submitted:

Insert in section one, line six, after the word "canvassing," the words "or tallying."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 424—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Read first time.

During the second reading of the bill, the following committee amendments were submitted:

In line eight, after the word "subscribe," strike out the word "an," and insert the word "the"; same line, after the word "oath," insert "required to be taken by State officers"; same line, after the word "Board," insert "of Harbor Commissioners."

Adopted.

Also: In line nine, after the word "written," strike out the word "instruments," and insert in lieu thereof the word "indorsement"; same line, after the word "and," insert the word "shall"; same line, after the word "said," insert the word "official."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893.

Bill read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 356.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced Senator Ford moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary announced that Senator Seawell was the only absentee without leave.

The President pro tem. directed the Sergeant-at-Arms to forthwith close the doors, and bring before the bar of the Senate the absentee.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President pro tem. then announced the vote upon the passage of Senate Bill No. 356, and declared that the Senate refused passage to said bill by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Flint, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Shine, and Toner—18.

NOES—Senators Beard, Burke, Earl, Fay, Ford, Franck, Gesford, Gleaves, Holloway, Langford, Mathews, McAllister, Orr, Pedlar, Shippee, Simpson, Smith, Whitehurst, and Withington—19.

NOTICE OF RECONSIDERATION.

Senator Ford gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 356 was this day refused passage.

At eight o'clock and fifty minutes p. m. Hon. Tirey L. Ford, Senator from the Third Senatorial District, was called to the chair.

Senate Bill No. 759—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as the Home for Feeble-Minded, in Santa Clara County, and for the improvement of the same.

Passed on file.

Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Passed on file.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Hart, Senate Bill No. 834—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 961 substituted therefor on the file, the bills being identical, and Assembly Bill No. 961 ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 961.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McGowan, Mitchell, Shine, Simpson, Toner, and Voorheis—24.

NOES—Senators Burke, Fay, Mathews, McAllister, Pedlar, Shippee, Smith, and Whitehurst—8.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Hart, Senate Bill No. 67—An Act to authorize State agricultural societies under the control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied—was, with unanimous consent of the Senate, withdrawn, and Assembly Bill No. 937 substituted therefor on the file, and Assembly Bill No. 937 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 937—An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 937.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McAllister, McGowan, Mitchell, Pedlar, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

At nine o'clock and ten minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Read first time.

During the second reading of the bill, the following committee amendment was read:

Amend by striking out on line one, section one, the words "five thousand dollars (\$5,000)" and inserting the words "two thousand five hundred dollars."

Adopted.

Read second time, ordered printed as amended, considered engrossed, and ordered on special urgency file for third reading.

SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 398—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the trustees; to fix term of office of trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Read second time, and its further consideration was postponed, on motion of Senator Holloway.

Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 523.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Burke, Denison, Dunn, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, McGowan, Mitchell, Smith, and Withington—21.

NOES—Senators Fay, Mathews, McAllister, Orr, Shippee, Voorheis, and Whitehurst—7.

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 265—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Read third time.

The question being on the passage of Senate Bill No. 265.

Senator Gesford moved that further consideration of the bill be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

AYES AND NOES.

The ayes and noes were demanded by Senators Langford, Voorheis, and Holloway.

The roll was called, and the motion carried by the following vote:

AYES—Senators Arms, Bert, Biggy, Denison, Dunn, Flint, Ford, Gesford, Hart, Mahoney, Martin, McAllister, McGowan, Mitchell, Pedlar, Seawell, Shine, Smith, and Withington—19.

NOES—Senators Aram, Beard, Burke, Earl, Fay, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Mathews, Orr, Shippee, Toner, Voorheis, and Whitehurst—17.

APPOINTMENT OF COMMITTEE.

The President pro tem. announced as the committee in conformity with the resolution offered by Senator Arms, the following: Senators Simpson, Smith, Aram, Seawell, and Whitehurst.

On motion of Senator Fay, Assembly Bill No. 91 was set as a special order for to-morrow, at four o'clock P. M.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 581—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail.

Also: Senate Bill No. 668—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Also: Senate Bill No. 588—An Act to amend sections one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, and one thousand eight hundred and thirty of the Political Code, relating to the public schools.

Have had the same under consideration, and respectfully report the same back without recommendation.

EARL, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 20, proposing an amendment to section seven of article four of the Constitution, relative to contingent expenses of the Assembly and Senate—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Constitutional Amendment No. 3—Amending section twelve, of article thirteen, of the Constitution, relating to revenue and taxation, and the collection of State poll tax—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 337—An Act for the certification of land titles and the simplification of the transfer of real estate—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

McGOWAN, Chairman.

Senator Withington moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Also: Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Also: Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiatt, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills No. 194, 630, 648, 647, 53, 59, 558, and 248 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly requests that Assembly Bill No. 484 be returned to the Assembly, because said bill has not passed the Assembly, and was transmitted to the Senate by mistake.

S. J. DUCKWORTH, Chief Clerk.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 953—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Also: Assembly Bill No. 434—An Act to repeal an Act entitled an Act to declare Lake Earl, in Del Norte County, navigable.

Also: Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds or income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

Also: Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of coöperative associations.

Also: Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Also: Assembly Bill No. 485—An Act to provide for the purchase, for State institutions, of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor; and regulating the award of contracts therefor.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 370, 664, 58, 249, and 485 ordered on file.

Assembly Bill No. 434 referred to Committee on Commerce and Navigation.

Assembly Bill No. 529 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 210 referred to Committee on Hospitals.

ADJOURNMENT.

On motion of Senator Orr, the Senate, at ten o'clock and ten minutes P. M., adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 13, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator McAllister.

RESOLUTION—(OUT OF ORDER).

Senator Hart, from the Committee on Attachés, Contingent Expenses, and Mileage, submitted the following resolution:

Resolved, That S. Earhart, Messenger to Committee on County Government and Township Organization, is hereby exempted from the provisions of the resolution adopted by the Senate on March 11, 1895, dispensing with the services of the Messenger, etc., to committees, and that said S. Earhart is hereby retained as said Messenger.

Adopted.

PETITION.

Senator Flint presented the following petition, and the same was ordered printed in the Journal:

SAN FRANCISCO, March 12, 1895.

To the honorable the President and the members of the Senate of the State of California in Senate assembled:

GENTLEMEN: The merchants of the City and County of San Francisco, to the number of one hundred or more, represented in an organization known as the "Associated Creditors of the City and County of San Francisco," have supplied goods, wares, and merchandise of actual necessity in the prosecution of the business and the carrying forward of the government of the city, of the value of, approximately, two hundred and twenty-five thousand dollars. The justice of their claims is admitted by the Board of Supervisors, the Auditor, the Treasurer, and the City and County Attorney, but payment is refused under a strict interpretation of the County Government Act, and the general laws affecting county governments in this State. All of these claims have been legally examined, allowed, and ordered paid by the Board of Supervisors. Many of them have a second audit in the way of judicial decision and judgment by the Courts in favor of the claimants against the city. We respectfully ask legislation calculated to give some substantial relief to these claimants, and would suggest as a means to that end, that the Boards of Supervisors of cities, or cities and counties, of more than one hundred thousand inhabitants, be permitted to include in their tax levies for the fiscal year 1895-96, an amount sufficient to pay off all outstanding claims for necessities supplied such cities, or cities and counties, and that such amounts so included in said levies be specially set apart for the payment of such claims.

Respectfully submitted.

ASSOCIATED CREDITORS
Of the City and County of San Francisco.

J. P. LeCOUNT, Chairman.

Referred to Committee on Finance.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Temporarily passed on file, on motion of Senator Withington, and made a special order for to-day at two o'clock P. M., to take precedence over other special orders.

On motion of Senator Earl, the consideration of Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California—was made a special order for to-day, to follow the special orders already set for this morning.

RESOLUTION—(OUT OF ORDER).

By Senator Androus:

Resolved, That Senate Bill No. 891 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 891 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—36.
NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 891—An Act to appropriate two hundred thousand dollars for the support of the Whittier State School, at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 891.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—37.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Androus, Senate Bill No. 891 was ordered immediately transmitted to the Assembly.

THIRD READING OF BILL.

Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act to pay for publishing the constitutional amendments.

Read third time.

The question being on the passage of Substitute for Senate Bills Nos. 769, 800, 801, and 802.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Seawell, Shine, Simpson, Smith, Toner, and Voorheis—28.

NOES—Senator Whitehurst—1.

Title read and approved.

MOTIONS.

On motion of Senator Bert, Substitute for Senate Bills Nos. 769, 800, 801, and 802 was ordered immediately transmitted to the Assembly.

On motion of Senator Smith, the consideration of Senate Constitutional Amendment No. 26—To propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article eleven thereof, relative to revenues and taxation, and license—was postponed and made a special order for to-morrow, immediately after reading the Journal.

On motion of Senator Withington, Senate Concurrent Resolution No. 11—Relative to printing amendments to the Constitution and Codes for free distribution—was made a special order for to-day, at three o'clock and thirty minutes P. M.

THIRD READING OF BILL.

Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Read third time.

The question being on the passage of Senate Bill No. 376.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, and Whitehurst—30.

NOES—None.

Title read and approved.

SPECIAL ORDERS.

Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Senator Mathews moved that Senate Bill No. 875 be referred to Senator Franck, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out of section one, line one, the words "of the second class," and inserting the following: "having a population of not less than one hundred thousand, nor more than two hundred thousand inhabitants."

Also: Amend title by striking out after the word "counties," the words "of the second class," and inserting the following: "having a population of not less than one hundred thousand, nor more than two hundred thousand inhabitants."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 875, with instructions to amend, respectfully reports the same back, amended as per instructions.

FRANCK, Committee.

Report of committee of one and amendment adopted.

Senate Bill No. 875 ordered printed as amended.

MOTION.

Senator Mathews moved that Senate Bill No. 875 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 106—An Act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Read third time.

The question being on the passage of Senate Bill No. 106.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, Toner, Voorheis, and Whitehurst—31.

NOES—None.

Title read and approved.

MOTIONS.

On motion of Senator Mathews, Senate Bill No. 106 was ordered immediately transmitted to the Assembly.

Senator Voorheis moved that the Senate concur in the following Assembly amendments to Senate Bill No. 709:

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 709.

Amend section one, line thirty-seven, after the words "San Francisco," by inserting the following: "but the said lease shall not be assignable."

Also: Amend the amendment by adding thereto "without the written consent of the said Board of State Harbor Commissioners."

Also: Amend by adding to section one, line thirty, the following:

"Except as hereinafter provided.

"*Provided further*, that the Commissioners shall have power to lease, for a period not exceeding fifty (50) years, at a rental not exceeding one thousand dollars (\$1,000) per annum, to any railroad corporation incorporated in this State, and not having, at the date of the passage of this Act, any terminal facilities in the City and County of San Francisco, any land belonging to the State, which is required for said purposes, which lies adjacent or contiguous to any public street or streets designated upon the official map of the City and County of San Francisco; *provided*, that but one parcel of land shall be leased to any one railroad, nor shall said parcel exceed in area fifty (50) acres, with access thereto and right of way through one or more convenient street or streets, forming, however, but one continuous right of way, with double track; *provided*, that a condition shall be inserted in said lease that said corporation or corporations shall proceed, within six months from the date of said lease, to improve said premises for said purposes, and proceed thereafter with reasonable diligence to construct such improvements, and in the event of failure to improve the same, or some part thereof, within the time specified, said lease shall be forfeited; *provided further*, that none of said leases shall be approved or executed unless by consent of a majority of said Board of State Harbor Commissioners, and for said purposes last named the Governor of the State and the Mayor of the City and County of San Francisco, ex officio members of said Board, are hereby constituted members thereof, with like powers and rights as other members of said Board."

Also: Amend the title as follows: By adding thereto the words "conferring further powers upon the said Board"; and also by changing the word "herein," in line twenty, of section one, into the word "hereinbefore."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 709?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Senators Beard, Bert, Biggy, Burke, Earl, Fay, Flint, Franck, Gesford, Gleaves, Holloway, Langford, Martin, Mathews, McAllister, Pedlar, Shippee, Smith, Voorheis, Whitehurst, and Withington—21.

NOTES—Senators Aram, Arms, Androus, Dunn, Hart, Henderson, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, and Toner—17.

EXPLANATIONS.

Senator McGowan asked that the following explanation of his vote, on concurrence in Assembly amendments to Senate Bill No. 709, be entered in the Journal:

As an explanation of my vote upon the amendment to Senate Bill No. 709, published on page eighteen of the Journal of the Senate of this date, I desire to say that the amendment proposes a "lease" of water front upon the bay of San Francisco. Section three of article fifteen declares that "all tide lands within two miles of any incorporated city or town in this State and fronting on the waters of any harbor * * * used for the purposes of navigation shall be withheld from grant or sale to * * * corporations."

The word "grant" as used in the Constitution, includes a lease.

This being true, I am of the opinion that the proposed amendment is within the inhibition of the Constitution.

I vote "no" upon the question of concurrence, in the hope that a committee of "free conference" may be appointed, and that such committee propose an amendment to the bill in question, empowering the Board of State Harbor Commissioners to permit the use and privileges of terminal facilities to any road, under such conditions and circumstances as now used and held by other corporations.

I am unalterably opposed to the granting of public property or rights which should be held by the people to any corporation. The history of this State demonstrates the utter folly of the people giving to corporations valuable rights and property.

Senator Orr gave the following explanation of his vote, and asked that it be printed in the Journal:

I vote "no" because there is no provision in this bill requiring one mile of road to be built, and while there is one prohibiting the assignment of this lease, there is none prohibiting the sub-letting of any portion of the property, and it may result in the control of this whole property by a corporation for private purposes, to the loss of the State.

Senator Simpson explained his vote by stating that the written explanation of Senator McGowan were his sentiments, and the further reason that a lease of fifty acres of valuable property on the water front in the city of San Francisco, for one thousand dollars per year, amounted to nothing more nor less than a gift by the State, which was positively prohibited by the Constitution, and therefore he voted "no."

Senator Seawell gave the following explanation of his vote, and asked that it be printed in the Journal:

I voted against Assembly amendments to Senate Bill No. 709 for the following reasons:

First—I do not believe that the grant under the amendments is properly guarded. It is provided in one of the amendments that the corporation to whom the lease was made for a period of fifty years, at a rental not exceeding one thousand dollars per annum, shall proceed within six months from the date of said lease to improve said premises, for the purpose for which the lease is made, and shall proceed thereafter, with reasonable diligence, to construct such improvements, and in the event of failure to improve the same, or some part thereof, within the time specified, said lease shall be forfeited. It does not appear from said amendment what improvements are to be constructed thereon, nor the amount thereof, but simply that some part thereof shall be improved.

Second—I am opposed to granting to corporations any right to direct and control the property that rightfully belongs to the government of the State of California. Past experience with corporations has shown that grants of this kind are most dangerous to the commonwealth.

Third—It is my opinion that sections one, two, and three of article fifteen of the Constitution repose the direction and control of such properties in the authority exclusively of the State. It is provided in section two of article fifteen that the Legislature shall enact such laws as will give the most liberal construction to said provisions, so that access to the navigable waters of this State shall always be attainable for the people thereof. It is provided in section three of said article that all tide lands within two miles of any incorporated city or town in this State, and fronting on the waters of any harbor, estuary, bay, or inlet, used for the purpose of navigation, shall be withheld from grant or sale to private persons, partnerships, or corporations. It is contended by some that the words in the Constitution, "within two miles of an incorporated city," do not include lands of this character actually within an incorporated city. But in my opinion the framers of the Constitution intended by this provision, not only to inhibit the granting of such lands within two miles of such incorporated city, but especially to forbid the granting of any lands of this character to any persons, partnerships, or corporations within such incorporated city. From an examination of the proceedings of the Constitutional Convention, it appears that a delegate desired to add to section three the following: "But sites for wharves, warehouses, or other necessary incidents to commerce, excepting in the waters of the bay of San Francisco, may, upon application to the Boards of Supervisors in the counties in which such sites are situated, and after due public notice of such application, be leased by such boards for a term of twenty years, or less, under such regulations as may be prescribed by law." This amendment was rejected, as will appear in volume three of the Constitutional Debates, page one thousand four hundred and eighty-one. It is therefore conclusive to my mind that by forbidding the granting and selling of lands of this character it was the intent of the framers of the Constitution that such lands should not be leased. As a proposition of law the word "grant" is of an extensive signification. I think the State should not surrender a right so valuable from any feeling of hostility to another corporation, which has heretofore secured valuable concessions to which they were not entitled, and which was almost a crime to grant.

Senators Arms and Seymour stated that their reasons for voting "no" were the same as given by Senator McGowan.

Senate Bill No. 709 as amended ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following bills have been correctly engrossed:

Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Also: Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

SMITH, Chairman.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Temporarily passed on file.

THIRD READING OF BILL.

Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

Read third time.

The question being on the passage of Senate Bill No. 887.

The roll was called, and the bill passed by the following vote:

AYES—Senators Atam, Arms, Androus, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—Senator Smith—1.

Title read and approved.

On motion of Senator Earl, Senate Bill No. 887 was ordered immediately transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Also: Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Also: Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Also: Assembly Bill No. 320—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Also: Assembly Bill No. 239—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons where the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Also: Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced

upon any contract, obligation, or liability founded upon an instrument in writing executed in this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

McGOWAN, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 472—An Act to provide for the formation, organization, and classification of new counties; for locating the county seats; for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 673—An Act entitled an Act to amend the Political Code by adding a new section thereto, to be known as section three thousand nine hundred and fifty-nine, relating to the fixing of the boundaries of Orange County.

Also: Senate Bill No. 743—An Act to amend section three thousand nine hundred and thirty-one, part four, title one, of the Political Code of the State of California, relating to the boundary of Alpine County.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LINDER, Chairman.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 12, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 250, 436, 437, and 34.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 12, 1895. }

To the Senate of the State of California:

I herewith return, without my approval, and with my objections thereto, Senate Bill No. 694, being "An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to, or determine adverse claims to real or personal property, or both."

I cannot understand wherein the proposed law as drafted, with the many merits that it contains, would be generally beneficial to litigants, and I can perceive many instances in which the same would be dangerous and injurious to such litigants, in overturning long established modes of procedure, and in depriving them of their right of trial by jury.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 12, 1895. }

To the Senate of the State of California:

I herewith return, without my approval, and with my objections thereto, Senate Bill No. 257, being "An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, relating to the crime of embezzlement."

The general purpose of the bill is admirable, but in expressing that purpose the Legislature has fallen into an error fatal, in my opinion, to the efficacy of the measure.

It provides that the general owner of a thing in which another has a special property, a joint owner, or an owner in partnership, may embezzle the property so held by him, "by dealing with it in such a way and with such intent as would amount to that offense if the offender had no interest in the thing." The right of joint owners, or members of a partnership to deal with the joint or partnership property, rests entirely upon the existing relationship and the limited ownership. A partner, for example, has the right to deal with partnership property in ways which, if employed by one who has no interest in it, would at once establish the offense of embezzlement. By reason, therefore, of the phrase quoted, the measure becomes unjust in making an offense of a perfectly legal act, and renders the whole bill obnoxious as being oppressive and unconstitutional.

JAMES H. BUDD, Governor.

On motion of Senator Voorheis, the consideration of the Governor's messages relating to the Governor's veto of Senate Bills Nos. 694 and 257 was postponed, and made a special order for this evening, at seven o'clock and thirty minutes.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 12, 1895.

To the Senate of the State of California:

I hereby nominate Mr. James M. Morrison, of Sacramento, to be Fish Commissioner, vice Joseph D. Redding, resigned, and invoke the approval and concurrence of your honorable body.

JAMES H. BUDD, Governor.

On motion of Senator Arms, the further consideration of the Governor's message, relating to the nomination of James M. Morrison, was postponed, and made a special order for this evening, at seven o'clock and thirty minutes.

SPECIAL FILE—WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Orr, Senate Bill No. 617—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 665 substituted therefor on the file, the bills being identical.

RESOLUTION—(OUT OF ORDER).

By Senator Orr:

Resolved, That Assembly Bills Nos. 273, 370, 875, 560, 801, 665, 337, 664, 58, 249, and 485 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, McAllister, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 665.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Fay, Flint, Ford, Franck, Gesford, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

SPECIAL FILE.

Senate Bill No. 445—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes.

Temporarily passed on file.

At eleven o'clock and forty minutes A. M. Hon. Orestes Orr, Senator from the Thirty-fifth Senatorial District, was called to the chair.

MOTION.

Senator Voorhies moved that Assembly messages be taken up.
So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on March sixth and eighth, adopted the reports of the conference committees, and on this day finally passed, as amended by the said conference committees, Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Senate Bill No. 369—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof; and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1893.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Voorheis moved that the Senate concur in the following amendments to Senate Bill No. 369:

Amend by striking out of section two, line thirty-seven, the letter "s" from the word "streets," and making it "street"; also, the comma after the word "street."

Also: Amend by inserting in section two, line thirty-two, between the words "no" and "fine," the word "such."

Also: Amend by striking out of section two, line twenty-four, the word "said," and inserting the following: "such."

Also: Amend by striking out of section two, line sixteen, printed copy, the word "on," and inserting the following: "in."

Also: Amend by striking out of section two, line three, printed copy, the word "make," and inserting the following: "have."

Also: Amend by striking out of section one, line four, printed copy, the word "collections," and inserting the following: "elections."

Also: Amend by striking out of the title, line four, printed copy, the word "collections," and inserting the following: "elections."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 369?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Denison, Dunn, Fay, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McAllister, McGowan, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on March twelfth, refused to pass Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Also: On said day, amended and passed as amended, Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

S. J. DUCKWORTH, Chief Clerk.

Assembly amendment to Senate Bill No. 705:

Amend by striking out of section one, lines one and two, the words "forty-two thousand six hundred and fifty-five dollars and thirty-five cents," and inserting the following: "forty-three thousand three hundred and ninety-seven dollars and twenty-one cents."

At eleven o'clock and forty-seven minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Upon the question, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 705?"

The roll was called, and the Senate refused to concur in the Assembly amendment by the following vote:

AYES—Senators Biggy, Denison, Ford, Linder, Martin, McGowan, and Smith—7.

NOES—Senators Aram, Androus, Beard, Dunn, Fay, Flint, Gleaves, Hart, Holloway, Hoyt, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—22.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of March, passed Senate Bill No. 199—An Act authorizing municipal corporations to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Also: Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding-houses, and lodging-houses.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 199 and 270 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of March, amended, and adopted as amended, Senate Concurrent Resolution No. 12, relative to adjournment March fourteenth, *sine die*.

Also: Refused to adopt Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Also: Refused to adopt Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Also: Adopted Assembly Constitutional Amendment No. 49—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

S. J. DUCKWORTH, Chief Clerk.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 12?"

Amend by striking out "Thursday," and inserting "Saturday"; also, by striking out "fourteenth" and inserting "sixteenth."

MOTION.

Senator McGowan moved that the further consideration of the Assembly amendment to Senate Concurrent Resolution No. 12 be postponed and made a special order for to-day, at three o'clock and thirty minutes P. M.

So ordered.

Assembly Constitutional Amendment No. 49 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of March, passed Assembly Bill No. 512—An Act to provide for the payment of the claim of Jas. A. Kearney.

Also: Assembly Bill No. 734—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 512 ordered on file.

Assembly Bill No. 734 referred to Committee on Irrigation and Water Rights.

Assembly Bill No. 224 referred to Committee on Labor and Capital.

WITHDRAWAL OF BILL.

On motion of Senator Mathews, Senate Bill No. 105—An Act appropriating four thousand dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California—was, with the unanimous consent of the Senate, withdrawn.

RESOLUTION.

By Senator McGowan:

Resolved, That the following names be stricken from the payroll of the Senate: T. E. McGeorge, Messenger, and T. K. Carr, Sergeant-at-Arms of Judiciary Committee.

Adopted.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair. The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gileaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

LEAVE OF ABSENCE.

On motion of Senator Gesford, an indefinite leave of absence was granted Senator Biggy, on account of the death, this day, of his sister.

SPECIAL ORDER—THIRD READING OF BILL.

Consideration of Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Read third time.

MOTION.

Senator Holloway moved that Assembly Bill No. 959 be referred to Senator Henderson, as a special committee of one, with instructions to amend the bill as follows:

Amend by inserting the following after the word "reporter," in line fifty-nine, section one hundred and sixty-three: "of each department."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

HENDERSON, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Seymour moved that Assembly Bill No. 959 be referred to Senator Henderson, as a special committee of one, with instructions to amend the bill as follows:

Amend by inserting in section one hundred and sixty-seven, subdivision two, after the word "annum," the following: "and all commissions, fees, and mileage for the service of papers or processes coming from Courts other than those of his own county."

Also: Amend by inserting in section one hundred and eighty-four, page eighty-seven, after the word "dollars," at end of line fifteen, in subdivision six, the words "per annum."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

HENDERSON, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Gesford moved that Assembly Bill No. 959 be referred to Senator Henderson as a special committee of one, with instructions to amend the bill as follows:

Amend section two hundred and three by inserting after the word "first," on line thirty-five, the words "Monday after the first."

Also: Amend by striking out the word "five," at the end of line thirty-five, of section two hundred and three, and inserting in lieu thereof the word "nine."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

HENDERSON, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Gleaves moved that Assembly Bill No. 959 be referred to Senator Burke, as a special committee of one, with instructions to amend the bill as follows:

Strike out of section one hundred and eighty-six, line eight, the words "which shall include all fees as License Collector," and insert the following: "which shall include all fees as License Collector," after the word "annum," in section one hundred and eighty-six, line five.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Fay moved that Assembly Bill No. 959 be referred to Senator McAllister, as a special committee of one, with instructions to amend the bill as follows:

Add to section two hundred and fifteen, after the word "action," line fifty-one, page one hundred and fifteen; "*provided further*, that the Assessor and License Collector of counties of the first class shall not be entitled to retain fees or commissions on collection of personal property tax or licenses, but shall pay the same into the County Treasury for the use and benefit of the county."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

McALLISTER, Committee.

Report of committee of one and amendment refused adoption.

MOTION.

Senator McAllister moved that Assembly Bill No. 959 be referred to Senator Fay, as a special committee of one, with instructions to amend the bill as follows:

Amend section one hundred and eighty-three, line twenty-one, by striking out the word "for," and inserting the word "in"; and on line thirty, strike out the word "for," and insert the word "in."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

FAY, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator Seawell moved that Assembly Bill No. 959 be referred to Senator Arms, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out the word "at," after the word "cast," on line sixty-eight, page ninety-nine, section one hundred and ninety-six, and inserting the word "in."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

ARMS, Committee.

Report of committee of one and amendment adopted.

At two o'clock and forty-five minutes P. M. Hon. Orestes Orr, Senator from the Thirty-fifth Senatorial District, was called to the chair.

MOTION.

Senator Simpson moved that Assembly Bill No. 959 be referred to Senator Burke, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out of section one hundred and thirty-nine, lines eleven and twelve, the words "*providing*, that nothing in this section shall prevent competition on any specific work exceeding the cost of two thousand dollars."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 959, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of committee of one and amendment refused adoption.

Assembly Bill No. 959 ordered printed as amended.

On motion of Senator Withington, Assembly Bill No. 959 was made a special order for this evening at seven o'clock and thirty minutes, to take precedence over all other special orders.

SPECIAL ORDER.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

MOTION.

Senator Hart moved that Assembly Bill No. 526 be referred to Senator McGowan, as a special committee of one, with instructions to amend the bill as follows:

By inserting after the word "employment," in line eight of section one, the following: "*provided*, that this section or any provisions of this Act shall not apply to any elective office or officer."

AYES AND NOES.

Upon this motion the ayes and noes were demanded by Senators Toner, Burke, and Gleaves.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Shine, Shippee, Simpson, Smith, and Voorheis—22.

NOES—Senators Fay, Gesford, Gleaves, Langford, Mathews, Mitchell, Pedlar, Seawell, Toner, Whitehurst, and Withington—11.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom were referred the following Senate Bills, beg leave to report that the same have been correctly engrossed:

Senate Bill No. 255—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

Also: Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Also: Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887.

Also: Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act making an appropriation of money to pay the claims of the California Demokrat, Le Franco Californien, La Voce del Popolo, and the Italian Publishing Company.

SMITH, Chairman.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 526, with instructions to amend, respectfully reports the same back, amended as per instructions.

McGOWAN, Committee.

At three o'clock and twenty-nine minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

MOTIONS.

On motion of Senator Ford, the hour set for the consideration of Assembly Bills was extended until Assembly Bill No. 526 was disposed of.

On motion of Senator Bert, the other special orders set for two o'clock P. M. this day were reset so as to follow this day the consideration of Assembly Bill No. 526.

Upon the question of the adoption of the report of the special committee of one on Assembly Bill No. 526.

AYES AND NOES.

The ayes and noes were demanded by Senators Hart, McGowan, and Seymour.

The roll was called, and the report of the special committee of one and amendment refused adoption by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Earl, Flint, Ford, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Shine, Shippee, Simpson, and Voorheis—19.

NOES—Senators Burke, Dunn, Fay, Franck, Gesford, Gleaves, Henderson, Langford, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Smith, Toner, Whitehurst, and Withington—19.

MOTION.

Senator Ford moved that Assembly Bill No. 526 be referred to Senator Voorheis, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out all of section three.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 526, with instructions to amend, respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Upon the question of the adoption of the report of the special committee of one.

The roll was called, and the report and amendment adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Martin, McAllister, Orr, Pedlar, Shine, Simpson, Smith, Voorheis, Whitehurst, and Withington—25.

NOES—Senators Aram, Dunn, Gesford, Henderson, Langford, Linder, Mahoney, Mathews, McGowan, Mitchell, Seawell, Seymour, Shippee, and Toner—14.

MOTION.

Senator McAllister moved that Assembly Bill No. 526 be referred to Senator Orr, as a special committee of one, with instructions to amend the bill as follows:

By renumbering section four section three, and section five section four.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 526, with instructions to amend, respectfully reports the same back, amended as per instructions.

ORR, Committee.

Report of committee of one and amendment adopted.

Assembly Bill No. 526 ordered printed as amended, and, on motion of Senator Orr, made a special order for to-morrow, at two o'clock P. M.

SPECIAL ORDERS.

Consideration of the Assembly's refusal to concur in Senate amendment to Assembly Bill No. 392.

SENATE AMENDMENT.

Amend section one by inserting after the word "transact," in line two of printed bill, the word "fire."

MOTION.

Senator Bert moved that the Senate recede from its amendment to Assembly Bill No. 392.

The question being, "Shall the Senate recede from its amendment to Assembly Bill No. 392?"

The roll was called, and the Senate refused to recede by the following vote:

AYES—Senators Bert, Fay, Gesford, Gleaves, Hoyt, Mahoney, Seawell, and Whitehurst—8.

NOES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Flint, Franck, Hart, Henderson, Holloway, Linder, Martin, Mathews, McGowan, Mitchell, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—26.

THIRD READING OF BILL.

Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the

several counties, cities and counties, cities, and towns of the State," approved March 4, 1880.

Read third time.

The question being on the passage of Senate Bill No. 853.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Earl, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

On motion of Senator Toner, Senate Bill No. 853 was ordered immediately transmitted to the Assembly.

THIRD READING OF BILLS.

Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Read third time.

The question being on the passage of Senate Bill No. 889.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Smith, Voorheis, and Whitehurst—26.

NOES—Senator Simpson—1.

Title read and approved.

Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Read third time.

The question being on the passage of Senate Bill No. 888.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Beard, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—28.

NOES—None.

Title read and approved.

Senator Ford, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 356 was refused passage, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Hart, Henderson, Holloway, Linder, Mahoney, Martin, Mathews, Orr, Seawell, Seymour, and Shine—21.

NOES—Senators Burke, Fay, Franck, Gesford, Gleaves, Hoyt, Langford, Pedlar, Simpson, Smith, Whitehurst, and Withington—12.

PASSAGE OF BILL.

Senate Bill No. 356—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893.

The question being on the passage of Senate Bill No. 356.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Ford moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

The Secretary stated that the only absentees without leave were Senators Androus, Martin, and Voorheis.

The presiding officer directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

MOTION.

Senator Ford moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Whereupon the Sergeant-at-Arms was directed to open the doors of the Senate.

The President pro tem. then announced the vote and declared that the Senate refused passage to Senate Bill No. 356 by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Flint, Ford, Hart, Henderson, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, and Toner—18.

NOES—Senators Burke, Earl, Fay, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Linder, McAllister, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—19.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The President pro tem. announced as the conference committee on Assembly Bill No. 392, Senators Hart, Orr, and Burke.

Senator Orr, in compliance with his notice, given yesterday, to move a reconsideration of the vote whereby Senate Bill No. 512 was passed, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—29.

NOES—Senators Gesford and Whitehurst—2.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Earl, Senate Bill No. 512—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 587 substituted therefor on the file, the bills being identical.

Assembly Bill No. 587 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 587.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mitchell, Seawell, Seymour, Shine, Simpson, Smith, and Whitehurst—25.

NOES—Senators Mathews, McAllister, Orr, Pedlar, and Withington—5.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 875—An Act to authorize counties having a population of not less than one hundred thousand nor more than two hundred thousand inhabitants to build railroads, and to lease or operate the same—beg leave to report that the same has been correctly engrossed.

SMITH, Chairman.

SPECIAL ORDERS—(RESUMED).

Substitute for Senate Bills Nos. 314 and 554—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

Temporarily passed on file, at request of author.

At five o'clock P. M. Hon. Tiley L. Ford, Senator from the Third Senatorial District, was called to the chair.

SECOND READING OF BILL.

Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thou-

sand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven

hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

During the second reading of the bill, the following amendments were submitted:

By Senator Simpson:

Amend section one, line five, by inserting the following after the word "years": "from the time of planting in vineyard form."

Adopted.

Also: Amend section one, line four, by inserting the following: "from the time of planting in orchard form."

Adopted.

Also: Amend by inserting after section twenty-eight, line twelve, the words: "8. The assessed value of all property sold to the State for taxes."

Adopted.

By Senator Withington:

Amend by adding to section seventy-four, line fourteen, after the words "been paid," the following: "Whenever the possessory interest in land belonging to the United States has been assessed, and sold to the State for delinquent State and county taxes, the Board of Supervisors in the respective counties shall have power, upon the application of the owner of the land, his representative, or any party interested therein, to direct the County Auditor to cancel the certificate of sale in which such possessory interest was sold. Before an order to cancel the certificate, as provided in this section, can be granted by the Board of Supervisors, the applicant must satisfy the Board that all taxes against the land, or the possessory interest therein of such owner or his predecessor in title, have been paid."

Adopted.

By Senator Earl:

Amend section one hundred and twelve of Assembly Bill No. 982, by adding the following: "provided, nothing in this Act contained shall affect the time or manner of collecting delinquent assessments levied and assessed to pay the damages, costs, and expenses for or incident to the laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place, within municipalities in this State, nor the time or manner of sales or redemption after sales, of real property sold to pay the damages, costs, and expenses, incident to such work or improvement aforesaid; and the time and manner of sale, or redemption after sale, of any real property sold to pay the damages, costs, and expenses for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place, within municipalities in this State, shall be had and made in the same time and manner as provided by law in such matters, on the first day of January, A. D. 1895."

Adopted.

By Senator Simpson:

Amend by striking out of section one hundred and thirteen, lines one and two, the words: "the first Monday in June, eighteen hundred and ninety-five," and inserting the following: "its passage."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

MOTION.

On motion of Senator Simpson, Assembly Bill No. 981 was taken up as a case of urgency.

FIRST AND SECOND READINGS OF BILL.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Read first time.

During the second reading of the bill, the following amendment was submitted by Senator Simpson:

Amend by striking out sections two and three, and inserting the following:
"SEC. 2. This Act shall take effect July 1, 1895."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

MOTION.

On motion of Senator Simpson, the further consideration of Assembly Bills Nos. 981 and 982 was made a special order for to-morrow, at three o'clock and thirty minutes P. M.

On motion of Senator Fay, the consideration of Assembly Bill No. 91 was postponed, and reset as a special order for to-morrow, immediately after reading the Journal.

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee of Conference concerning Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of the forty-sixth fiscal year—have met a like committee of the Assembly, consisting of Messrs. Llewellyn, Twigg, and Pendleton, and report the Senate refuses to concur in the Assembly amendment to said bill, and respectfully request that the Assembly recede from its amendment.

BERT,
ARMS,
ORR,
Senate Committee.
PENDLETON,
TWIGG,
Assembly Committee.

Report of Committee of Conference adopted.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION No. 12.

Senator McGowan moved that the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 12, viz.:

Amend by striking out "Thursday," and inserting "Saturday"; strike out "fourteenth," and insert "sixteenth."

The roll was called, and the amendment concurred in by the following vote:

AYES—Senators Arms, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Langford, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—29.

NOES—Senators Androus, Dunn, and Martin—3.

At five o'clock and fifteen minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

MOTIONS.

Senator Langford moved that Senate Bill No. 265 be made a special order for to-morrow, after reading the Journal.

So ordered.

Senator Ford moved that Assembly Bill No. 459, number four hundred and fifty-four on to-day's file, and Assembly Bill No. 140, number five hundred and one on to-day's file, be substituted one for the other on the special file of Assembly Bills.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and seven of an Act entitled "An Act to provide for the organization and government of municipal corporations," approved March 13, 1883, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

Senator Withington moved that all special orders set for the afternoon of this day and not yet acted on, be reset for seven o'clock and thirty minutes P. M. as special orders.

So ordered.

RECESS.

At five o'clock and thirty minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M., on motion of Senator Orr.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDERS.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

The question being on the final passage of Assembly Bill No. 959.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Voorheis, Whitehurst, and Withington—30.

NOES—Senator Ford—1.

Title read and approved.

On motion of Senator Withington, Assembly Bill No. 959 was ordered immediately transmitted to the Assembly.

Consideration of the confirmation of the appointment of Captain Amun Sevort, of San Diego, to the office of Pilot Commissioner for the Port of San Diego, to succeed S. W. Hackett, whose term is at the pleasure of the Governor.

On motion of Senator Withington, the consideration of the above appointment was reset as a special order for consideration to-morrow, at seven o'clock and thirty minutes P. M.

Consideration of the confirmation of the appointment of Captain C. H. Davis, of San Diego, to the office of Port Warden at San Diego, to succeed John Dillingham, deceased.

Upon the question, "Will the Senate advise and consent to the appointment of Captain C. H. Davis, of San Diego, California, as Port Warden at San Diego, California, to succeed John Dillingham, deceased?"

By direction of the President pro tem., the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—34.

NOES—None.

Whereupon the President pro tem. announced the appointment of Captain C. H. Davis to the office of Port Warden at San Diego, California, duly confirmed.

Consideration of the confirmation of the appointment of James M. Morrison, of Sacramento, to the office of Fish Commissioner, to succeed Joseph D. Redding, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of James M. Morrison, of Sacramento, to be Fish Commissioner, vice Joseph D. Redding, resigned?"

By direction of the President pro tem., the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—33.

NOES—None.

Whereupon the President pro tem. announced the appointment of James M. Morrison as Fish Commissioner duly confirmed.

CONSIDERATION OF THE GOVERNOR'S VETO OF SENATE BILL No. 242.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Senators Beard and Martin—2.

NOES—Senators Arms, Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—31.

CONSIDERATION OF THE GOVERNOR'S VETO OF SENATE BILL No. 694.

Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Arms, Androus, Bert, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—29.

CONSIDERATION OF THE GOVERNOR'S VETO OF SENATE BILL No. 257.

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Aram, Bert, Burke, Denison, Dunn, Earl, Flint, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Mahoney, McAllister, Mitchell, Seymour, Shine, Shippee, Whitehurst, and Withington—21.

At eight o'clock P. M. Hon. Tirey L. Ford, Senator from the Third Senatorial District, was called to the chair.

MOTION.

On motion of Senator Earl, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 579—An Act to enable any county, city and county, city, or town to lease property to associations of ex-soldiers and sailors.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of March, passed Assembly Bill No. 607—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

S. J. DUCKWORTH, Chief Clerk.

MOTIONS.

Senator Seymour moved that all Assembly Bills now in the hands of Senate committees be recalled, and, with those that hereafter come from the Assembly, be ordered placed on file without reference to committees.

So ordered.

On motion of Senator Linder, Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State"—was reset as a special order for consideration to-morrow, at three o'clock and thirty minutes P. M.

SENATE CONCURRENT RESOLUTION No. 11.

Concurrent resolution relative to printing amendments to the Constitution and Codes for free distribution.

Resolved by the Senate, the Assembly concurring, That the State Printer be instructed to cause to be prepared and printed an edition of thirty thousand copies of the general laws, amendments to the codes, and proposed constitutional amendments passed at this session, the same to be stitched, but not bound or covered, and to be distributed, under the direction of the Secretary of State, to the County Clerks of the various counties, in proportion to the population of the different counties, for free distribution to the electors thereof.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gleaves, Henderson, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Whitehurst, and Withington—25.

NOES—Senators Holloway, Mahoney, and Shippee—3.

On motion of Senator Withington, Senate Concurrent Resolution No. 11 was ordered immediately transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency—have had the same under consideration, and respectfully report the same back without recommendation.

PEDLAR, Chairman.

At eight o'clock and fifteen minutes P. M. Hon. Eugene F. Bert, Senator from the Twentieth Senatorial District, was called to the chair.

SPECIAL URGENCY FILE.

Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Passed on file.

Substitute for Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Passed on file.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Ford, Substitute for Senate Bill No. 284—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a secretary therefor; and to provide for the compensation and expenses of said commission and secretary, and to appropriate money therefor—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 1013 substituted therefor on the file, the bills being identical.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That Assembly Bill No. 1013 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 1013 was declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, Voorheis, and Whitehurst—34.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 1013.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson-Toner, Voorheis, Whitehurst, and Withington—34.

NOES—Senator Holloway—1.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Seymour, Senate Bill No. 592—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of the same—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 761 substituted therefor on the file.

RESOLUTION—(OUT OF ORDER).

By Senator Seymour:

Resolved, That Senate Bill No. 761 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 761 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, McGowan, Mitchell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—27.

NOES—Senators Bert, Fay, Seawell, and Whitehurst—4.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 761—An Act providing for the relief of Patrick Creighton, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Creighton, his assigns or legal representatives, the sum of seventy-five thousand dollars, and directing the Auditor of said city and county to audit the demand of said Creighton for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Read first time.

During the second reading of the bill, the following amendments were submitted by Senator Seymour:

Amend section one, line two, by striking out "Fran," and inserting in lieu thereof "Francisco."

Adopted.

Amend title by striking out "Fran," and inserting in lieu thereof "Francisco."

Adopted.

Read second time, considered engrossed, ordered printed as amended, and on file for third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Androus, Senate Bill No. 817—An Act for the benefit of Robert B. Young, for work done upon the buildings of the Whittier State School, at Whittier, California, and for money expended in paying for insurance on the same, and to make an appropriation for the same—was, with the unanimous consent of the Senate, withdrawn, and Senate Bill No. 511 substituted therefor on the file.

RESOLUTION—(OUT OF ORDER).

By Senator Androus:

Resolved, That Senate Bill No. 511 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 511 declared a case of urgency by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Martin, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time.

During the second reading of the bill, the following committee amendments were submitted:

Amend section two, line six, by inserting the words "City Clerk" after the word "the," in line six of the printed bill.

Adopted.

Also: Amend by striking out of section five, after the word "annually," in line twenty-one, the words "subject to," in line twenty-two the words "the approval of the

Board of Education," and inserting the following: In line twenty-one, and between the words "annually" and "payable," the phrase "subject to the approval of the Board of Education."

Adopted.

Also: Amend by inserting in line three, after the words "Board of Education," the words "City Clerk."

Adopted.

Also: Amend by striking out of section two, lines sixteen and seventeen, printed bill the words "the City Clerk shall be appointed by the Board of Trustees, and shall hold office during the pleasure of the Board of Trustees."

Adopted.

Bill read second time, considered engrossed, ordered printed as amended, and on special urgency file for third reading.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 662—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Passed on file.

Senate Bill No. 506—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 486—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Read third time.

The question being on the passage of Senate Bill No. 486.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Earl, Flint, Franck, Gleaves, Hart, Henderson, Hoyt, Mahoney, Martin, Mathews, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Withington—26.

NOES—None.

Title read and approved.

MOTION.

¶ On motion of Senator Fay, Senate Bill No. 486 was ordered immediately transmitted to the Assembly.

THIRD READING OF BILL.

¶ Senate Bill No. 424—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Read third time.

The question being on the passage of Senate Bill No. 424.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Earl, Fay, Flint, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Mathews, McGowan, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—26.
NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Franck, Senate Bill No. 759—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as the Home for Feeble-Minded, in Santa Clara County, and for the improvement of the same—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 801 substituted therefor on the file, the bills being identical, and Assembly Bill No. 801 was ordered read first, second, and third times, and placed upon its passage.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded, in Santa Clara, and for the improvement of the same.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 801.

The roll was called, and the bill refused final passage by the following vote:

AYES—Senators Burke, Fay, Flint, Franck, Langford, McAllister, Seymour, Shippee, Smith, and Whitehurst—10.

NOES—Senators Aram, Beard, Bert, Denison, Dunn, Earl, Gleaves, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Mitchell, Pedlar, Seawell, Shine, Simpson, Voorheis, and Withington—21.

Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold-storage system; to appropriate money therefor, and provide for the expending of the same.

Also: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Also: Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

At nine o'clock and fifty-five minutes P. M. Hon. S. C. Smith, Senator from the Thirty-fourth Senatorial District, was called to the chair.

SPECIAL URGENCY FILE—(RESUMED)—THIRD READING OF BILL.

Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Read third time.

The question being on the passage of Senate Bill No. 798.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Seymour, Shine, Smith, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

Senator Seymour called up for consideration Substitute for Senate Bill No. 539.

THIRD READING OF BILL.

Substitute for Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Read third time.

The question being on the passage of Substitute for Senate Bill No. 539.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McGowan, Seymour, Shine, Simpson, Smith, and Whitehurst—23.

NOES—Senators Burke, Fay, McAllister, Orr, and Withington—5.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator Beard, Senate Bill No. 527—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887—was, with the unanimous consent of the Senate, withdrawn.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 398—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the trustees; to fix term of office of trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Passed on file.

THIRD READING OF BILL.

Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Read third time.

The question being on the passage of Senate Bill No. 522.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Earl, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Toner, and Whitehurst—21.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FAY, for Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 552—An Act providing for the incorporation of banking corporations, defining the same, and providing for the government, regulation, and control of all such corporations organized under the laws of this State or of any other State, Territory, or foreign country doing business within this State, and of all other corporations, companies, partnerships, firms, and individuals doing a banking business within this State—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and recommend its withdrawal from the file.

DENISON, Chairman.

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 266—An Act to repeal sections six hundred and forty-two and six hundred and forty-three of the Political Code, relating to the Fish Commissioners.

Also: Senate Bill No. 671—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Also: Senate Bill No. 670—An Act to amend section six hundred and thirty-four of the Penal Code, relating to the taking of salmon, and providing for punishment for the unlawful taking or catching of salmon, and regulating the distribution of fines collected for violations of the provisions of the said section.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

VOORHEIS, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 913—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard into service—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as a similar bill from the Senate has passed both houses.

Also: Senate Joint Resolution No. 15—Relative to appointing delegates to the Chickamauga and Chattanooga National Military Park—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Also: Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Also: Assembly Bill No. 241—An Act to amend section one of an Act approved March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 840—An Act appropriating nine thousand seven hundred and five dollars to pay the claim of C. H. Reynolds—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Your Finance Committee respectfully reports that the miscellaneous appropriations already enrolled amount to \$1,399,797. Adding this sum to the amounts contained in the general appropriation bill, together with the sums necessary for the schools, the University, and sinking fund, a total of \$12,046,218 is the result.

On the valuation of 1894, a tax of 50 cents on the \$100 will produce in two years \$12,049,769. The valuation of 1895 cannot be much, if any, larger than that of last year, so it is obvious that the 50-cent limit for 1895 has been reached, and that all appropriations hereafter allowed will be in excess of the 50-cent tax.

VOORHEIS, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 877—An Act to provide for the labeling or stamping of all packages and boxes of fruit produced or handled by aliens, other than aliens who have declared their intention to become citizens of the United States, when placed upon the market, or in any form offered for sale within this State, and providing for a penalty for the violation of this Act—have had the same under consideration, and respectfully report the same back without recommendation.

SHIPPEE, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 814—An Act to provide for the formation of societies for the promotion of physical culture, and other kindred associations.
Passed on file.

Senate Bill No. 681—An Act to amend the law regarding the office of Mayor's Clerk in each city of more than forty thousand of population, in counties of the second and third classes.
Passed on file.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Bill read first and second times, considered engrossed, and read a third time.

The question being on the passage of Senate Bill No. 762.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Pedlar, Seawell, Shine Shippee, Simpson, Smith, and Whitehurst—26.
NOES—None.

Title read and approved.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 567.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—27.
NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Mitchell, Senate Bill No. 793—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891"—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 799 substituted therefor on the file, the bills being identical.

RESOLUTION—(OUT OF ORDER).

By Senator Mitchell:

Resolved, That Assembly Bill No. 799 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 799 declared a case of urgency by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Dunn, Earl, Fay, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Toner, Whitehurst, and Withington—28.
NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns,

and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California, approved March 11, 1891."

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 799.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Beard, Denison, Dunn, Earl, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Toner, and Withington—27.
NOES—None.

Title read and approved.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 861—An Act to amend the Civil Code by adding to chapter three, of title three, of part one, of division four, a section, to be numbered three thousand four hundred and twenty-four, concerning equitable relief in cases of a multiplicity of statutory penalties.

Bill read first and second times, considered engrossed, and read a third time.

MOTION.

Senator Orr moved that Senate Bill No. 861 be referred to Senator Denison as a special committee of one, with instructions to amend the bill as follows:

Strike out words "and Act," and insert instead the word "enact," in enacting clause.

AYES AND NOES.

The ayes and noes were demanded on the motion to refer, by Senators Burke, Withington, and Orr.

The roll was called, and the motion to refer carried by the following vote:

AYES—Senators Arms, Androus, Denison, Dunn, Ford, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Toner, and Voorheis—22.

NOES—Senators Burke, Earl, Fay, McAllister, Whitehurst, and Withington—6.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 861, with instructions to amend, respectfully reports the same back, amended as per instructions.

DENISON, Committee.

AYES AND NOES.

The ayes and noes were demanded upon the adoption of the report of the special committee of one, by Senators Burke, Withington, and McAllister.

The roll was called, and the report of the special committee of one and amendment adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Denison, Dunn, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington—26.

NOES—Senators Beard, Burke, Earl, Fay, Franck, Martin, Mathews, McAllister, and Whitehurst—9.

Bill ordered printed as amended.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

ADJOURNMENT.

At eleven o'clock and thirty minutes P. M. Senator Burke moved to adjourn.

AYES AND NOES.

The ayes and noes were demanded on the motion to adjourn by Senators Gleaves, Denison, and Simpson.

The roll was called, and the motion to adjourn carried by the following vote:

AYES—Senators Aram, Arms, Burke, Earl, Fay, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McGowan, Seawell, Shine, Smith, Voorheis, Whitehurst, and Withington—21.

NOES—Senators Androus, Beard, Denison, Gleaves, Mitchell, and Pedlar—6.

Whereupon at eleven o'clock and thirty-three minutes P. M. the presiding officer declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 14, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator McAllister.

WITHDRAWAL OF BILLS.

Senator Langford was granted permission to withdraw the following bills: Senate Bills Nos. 262, 263, 144, 260, 652, 267, 771, 365, 394, and Senate Constitutional Amendment No. 27.

RESOLUTION—(OUT OF ORDER).

By Senator Seymour:

Resolved, That Assembly Bills Nos. 349, 669, 149, 355, 329, 225, 259, 25, 512, 354, 379, 607, 210, 433, 798, 564, 434, 734, 224, 187, 913, 219, 245, 241, and 529 each presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gosford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, McAllister, McCowan, Sewell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

MOTION.

Senator Simpson moved Assembly Bill No. 981 be recalled from the printer and placed on its second reading, for the purpose of amendment.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Senator Simpson asked unanimous consent to withdraw the amendment submitted by him and adopted on yesterday, viz.:

Amend by striking out sections two and three, and inserting the following:
"SEC. 2. This Act shall take effect July 1, 1895."

Granted.

Senator Simpson moved to amend by striking out sections two and three, and inserting in lieu thereof the following:

"SEC. 2. This Act shall take effect from and after its passage."

Adopted.

Bill ordered to print as amended, and on file for third reading.

SPECIAL ORDERS.

Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Read first time.

During the second reading, the following amendments, submitted by Senator Fay, in behalf of the San Francisco Delegation, were read:

Strike out in lines one and two, the following: "and any judgments which may hereafter come into existence."

Adopted.

Also: Strike out in lines four, five, and six, the following: "and it shall not be necessary to have the same audited by any Auditor, auditing officer, Board, or other auditing officer or officers, in order that the same, or any part thereof, shall be paid or made payable," and insert the following in line three, after the word "thereof": "after the same shall have been audited by the Auditor, auditing officer, Board, or other auditing officer or officers."

Adopted.

Bill read second time, order printed as amended, and on special urgency file for third reading.

Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

On motion of Senator Hart, Senate Bill No. 209 was reset as a special order for seven o'clock and thirty minutes P. M. this day.

Senate Constitutional Amendment No. 26—To propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article eleven thereof, relative to revenues and taxation, and license.

Passed on file.

Senate Bill No. 875—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Mathews moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary stated that the only absentees without leave were Senators Earl and Ford.

The President pro tem. directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

Upon this motion the roll was called, and the motion carried by the following vote:

AYES—Senators Arms, Beard, Denison, Dunn, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McGowan, Shine, Smith, Toner, and Voorheis—19.

NOES—Senators Aram, Androus, Bert, Burke, Linder, McAllister, Mitchell, Pedlar, Shippee, Simpson, Whitehurst, and Withington—13.

Whereupon the Sergeant-at-Arms was directed to open the doors of the Senate.

The President pro tem. then announced the vote, and declared that the Senate refused passage to Senate Bill No. 875, by the following vote:

AYES—Senators Arms, Androus, Beard, Burke, Fay, Ford, Franck, Gesford, Henderson, Langford, Martin, Mathews, McAllister, Pedlar, Seawell, Simpson, Whitehurst, and Withington—18.

NOES—Senators Aram, Bert, Denison, Dunn, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, McGowan, Mitchell, Seymour, Shine, Shippee and Toner—16.

EXPLANATIONS.

Senator McGowan asked that the following explanation of his vote on the passage of Senate Bill No. 875 be entered in the Journal:

So ordered.

I vote "no" upon Senate Bill No. 875, as amended, because—

First—It is unconstitutional in that it prescribes an arbitrary classification for a purpose not contemplated or permitted by the Constitution. (Article XI, Section 5, Constitution; *Darcy vs. Mayor, etc., City of San Jose*, 38 Pacific Reporter 500.)

Second—It delegates, in violation of the Constitution, legislative powers to the people, that if properly conferred by the Legislature should be exercised by the Board of Supervisors. (*Ex parte Wall*, 48 Cal. 279.)

Third—It attempts to confer upon an alleged Board of Trustees powers, duties, and rights that cannot be exercised by any authorities but the Board of Supervisors. (Section 13, Article XI, Constitution; *Yarnell vs. City of Los Angeles*, 87 Cal. 603.)

It is unconstitutional upon the further grounds that the bill endeavors to "pledge the faith of the county," and is against the spirit of the Constitution, in that it contemplates a business to be conducted by a county or a Board of Trustees not a part of or consistent with the functions of county government.

Senator Aram stated that his reasons for voting "no" were the same as given by Senator McGowan.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 91.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McGowan, Mitchell, Seawell, Shine, Toner, Voorheis, and Whitehurst—25.

NOES—Senators Burke and Pedlar—2.

Title read and approved.

PASSAGE OF BILL.

Senate Bill No. 265—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

The bill having been read the third time on a previous day, the question was on its passage.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Beard, Burke, Fay, Franck, Gleaves, Holloway, Hoyt, Langford, Mathews, McAllister, Voorheis, Whitehurst, and Withington—13.

NOES—Senators Aram, Arms, Androus, Bert, Denison, Dunn, Earl, Flint, Ford, Hart, Henderson, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, and Toner—23.

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 627?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Beard, Bert, Burke, Denison, Earl, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, McAllister, Metcowan, Orr, Pedlar, Seawell, Seymour, Smith, Toner, and Withington—22.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of March, refused to pass Senate Bill No. 60—An Act to empower the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

S. J. DUCKWORTH, Chief Clerk.
By E. G. Towler, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 609—An Act to amend section sixteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes thereon; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 609 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 887 ordered to enrollment.

MOTIONS.

Senator Bert moved that the further consideration of Assembly Bill No. 736 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

At eleven o'clock and forty-five minutes A. M. Senator Pedlar moved that the time for taking the noon recess be extended until twelve o'clock and thirty minutes P. M.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Seymour:

Resolved, That Assembly Bills Nos. 604, 736, 701, 479, 757, 575, 413, and 609 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Mathews, McAllister, McGowan, Mitchell, Pedlar, Seawell, Seymour, Shine, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

By Senator Burke:

Resolved, That as soon as a bill has passed the Senate which requires any further action upon the part of the Assembly, for any purpose, the same shall be forthwith transmitted to the Assembly without further motion by the Senate.

Adopted.

MOTION.

On motion of Senator Earl, the Senate proceeded to consider the "Special File of Assembly Bills."

SPECIAL FILE OF ASSEMBLY BILLS—CASE OF URGENCY—THIRD READING OF BILL.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Read third time.

MOTION.

Senator Burke moved that Assembly Bill No. 702 be referred to Senator Gesford, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out section two of the bill and substituting the following therefor: "SEC. 2. Section five hundred and one of the Civil Code of the State of California is hereby amended to read as follows:

"Section 501. The rates of fare on the cars must not exceed five cents for one fare for any distance under three miles. The cars must be of the most approved construction for the comfort, safety, and convenience of passengers, and provided with brakes and the necessary appliances to stop the same when required. The rate of speed shall not be greater than twelve miles an hour. Any person, firm, or corporation, owning, operating, or controlling any street railroad, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars, or more than five hundred dollars, for each offense; *provided*, that nothing herein contained shall be construed to repeal or in any way modify an Act entitled 'An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants,' approved January 1, 1878."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 702, with instructions to amend, respectfully reports the same back, amended as per instructions.

GESFORD, Committee.

Report of committee of one and amendment adopted.

MOTION.

Senator McAllister moved that Assembly Bill No. 702 be referred to Senator Burke, as a special committee of one, with instructions to amend the bill as follows:

By striking out of section one, line seven, the word "streets."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 702, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of committee of one and amendment adopted.

Senator Burke moved that Assembly Bill No. 702 be referred to Senator Earl, as a special committee of one, with instructions to amend the bill as follows:

Strike out of the title of Assembly Bill No. 702, the words "and to repeal an Act entitled 'An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants,' approved January 1, 1878."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 702, with instructions to amend, respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of committee of one and amendment adopted.

Assembly Bill No. 702 ordered printed as amended, and on file for final passage.

THIRD READING OF BILL.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Read third time.

The question being on the final passage of Assembly Bill No. 39.

The roll was called, and the bill refused final passage by the following vote:

AYES—Senators Androus, Dunn, Mathews, Mitchell, Simpson, and Withington—6.

NOES—Senators Aram, Beard, Burke, Denison, Earl, Fay, Franck, Gesford, Hart, Holway, Hoyt, Martin, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, and Whitehurst—22.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 140.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Martin, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—27.
NOES—Senators McAllister and Shippee—2.

Title read and approved.

Assembly Constitutional Amendment No. 6—Proposing an amendment to section seven of article one of the Constitution, relative to juries.
Passed on file, on motion of Senator Voorheis.

MOTION.

Senator Simpson moved that Senate Bill No. 890 be taken up and considered.
So ordered.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

Bill read first and second times, considered engrossed, and read a third time.

The question being on the passage of Senate Bill No. 890.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—32.
NOES—None.

Title read and approved.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED)—CASES OF URGENCY—THIRD READING OF BILLS.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Read third time.

The question being on the final passage of Assembly Bill No. 700.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Holloway, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—26.
NOES—None.

Title read and approved.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand

and under fifty thousand inhabitants,' approved March 31, 1891, 'and to provide for Clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.'"

Read third time.

The question being on the final passage of Assembly Bill No. 15.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Fay, Flint, Henderson, Holloway, Hoyt, Martin, McAllister, Orr, Pedlar, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Withington—21.

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Also: Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Also: Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expenses for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities in this State.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill refused final passage by the following vote:

AYES—Senators Burke, Fay, Ford, Gesford, Gleaves, Langford, Mathews, McAllister, Orr, Pedlar, Seawell, Smith, Voorheis, Whitehurst, and Withington—15.

NOES—Senators Aram, Arms, Andrews, Beard, Denison, Dunn, Earl, Flint, Franck, Hart, Holloway, Hoyt, Mahoney, Martin, McGowan, Mitchell, Shine, Shippee, Simpson, and Toner—20.

At three o'clock and forty minutes p. m. Hon. Orestes Orr, Senator from the Thirty-fifth Senatorial District, was called to the chair.

Senator Voorheis moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed Messrs. Bettman, Pendleton, and Laugenour as a Committee of Free Conference on the part of the Assembly to consider Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—and requests that your honorable body appoint a like committee.

Also: Appointed Messrs. Tibbits, Powers, and Brusie as a Committee of Free Conference on the part of the Assembly to consider Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year—and requests that your honorable body appoint a like committee.

S. J. DUCKWORTH, Chief Clerk.

The presiding officer announced as the Committee of Free Conference on Senate Bill No. 327, Senators Denison, Mathews, and Voorheis.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

S. J. DUCKWORTH, Chief Clerk.

By H. A. MASON, Assistant.

Assembly Bill No. 751 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Constitutional Amendment No. 36—A resolution proposing to amend section seventeen of article one of the Constitution of the State of California, relative to ownership of property by aliens.

Also: Assembly Constitutional Amendment No. 20—Proposed amendment to article four of the Constitution, relating to the legislative department, adding a new section thereto, limiting the contingent expenses of the Senate and Assembly.

Also: Passed Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

S. J. DUCKWORTH, Chief Clerk.

Assembly Constitutional Amendments Nos. 36 and 20, and Assembly Bill No. 954 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 903—An Act relating to the commitments to the State School at Whittier, and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Also: Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructor, and Silk Expert, from December 12, 1885, to April 2, 1887.

Also: Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Also: Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Also: Senate Bill No. 891—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School, at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Also: Assembly Bill No. 897—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 903, 861, 694, 332, and 897 ordered on file.

Senate Bill No. 891 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 11—Concurrent resolution relative to printing amendments to the Constitution and Codes, for free distribution.

Also: Receded from Assembly amendments to Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Also: Passed Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

S. J. DUCKWORTH, Chief Clerk.

Senate Concurrent Resolution No. 11 and Substitute for Senate Bill No. 544 ordered to enrollment.

MOTION.

Senator Voorheis moved to take up for consideration Assembly Constitutional Amendment No. 6.

So ordered.

At three o'clock and fifteen minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Assembly Constitutional Amendment No. 6 read, as follows:

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 6.

Proposed amendment to section seven of article one of the Constitution, relative to juries. The Legislature of the State of California, at its thirty-first session, two thirds of all the members elected to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to section seven of article one of the Constitution, relative to juries:

That section seven of article one be amended to read:

Section 7. The right of trial by jury shall be secured to all, except as otherwise provided

in this section. In all cases, civil or criminal, twelve persons shall constitute the jury, except a lesser number be agreed upon, or a jury be waived, by both parties, in open Court. In all cases, civil or criminal, three fourths of the jury may render a verdict. When a jury shall be impaneled in any case, whether civil or criminal, the death or inability, or failure from any cause of a juror or jurors to thereafter attend, shall not preclude the trial from proceeding to a termination and a verdict so long as three fourths of the original number still remain in the box. In cases of misdemeanor a jury may be dispensed with, if the Court so direct. In civil cases the number of peremptory challenges shall be limited to four on each side; and in criminal cases it shall be limited to five upon each side.

The roll was called, and Assembly Constitutional Amendment No. 6 refused adoption by the following vote:

AYES—Senators Aram, Androus, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Langford, Linder, Martin, Mathews, McAllister, Pedlar, Seawell, Seymour, Shippee, Smith, and Withington—22.

NOES—Senators Arms, Beard, Bert, Burke, Dunn, Hart, Holloway, Hoyt, Mahoney, McGowan, Mitchell, Orr, Shine, Simpson, Toner, Voorheis, and Whitehurst—17.

NOTICE OF RECONSIDERATION.

Senator Voorheis gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Constitutional Amendment No. 6 was this day refused adoption.

SPECIAL FILE OF ASSEMBLY BILLS—CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 461.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—Senator Fay—1.

Title read.

MOTION.

Senator Earl moved to amend the title by inserting after the word "amend," the following:

"Section two hundred and sixty-one of."

Amendment adopted, and title as amended read and approved.

Assembly Bill No. 461 ordered printed as amended.

At three o'clock and twenty-five minutes p. m. Senator Ford moved that the Senate proceed to consider Assembly Bills on special file until the afternoon recess was declared.

So ordered.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 834—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 834.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seymour, Simpson, Smith, Toner, and Whitehurst—29.

NOES—Senator Seawell—1.

Title read and approved.

Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 114.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—32.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That the provisions of the Constitution (section two, article four) relating to the time when bills may be introduced are hereby suspended, and permission is hereby granted to introduce Senate Bill No. 892.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Toner, Voorheis, and Whitehurst—30.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Senator Voorheis: Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Referred to Committee on Finance.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate, thirty-first session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That Senate Bill No. 892 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times and placed upon its passage.

The roll was called, and Senate Bill No. 892 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, and Whitehurst—29.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session.

Read first and second times, considered engrossed, read a third time, and the roll being called, was passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Orr, Pedlar, Seawell, Shine, Simpson, Voorheis, and Whitehurst—28.

NOES—None.

Title read and approved.

At three o'clock and fifty minutes p. m. Hon. Eugene F. Bert, Senator from the Twentieth Senatorial District, was called to the chair.

MOTION.

Senator McAllister moved that Assembly Bill No. 945 be ordered placed on special file of Assembly Bills.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Gesford, Gleaves, Holloway, Hoyt, Langford, Martin, McAllister, Pedlar, Seawell, Shine, Simpson, Voorheis, and Whitehurst—21.

NOES—Senators Androus and Dunn—2.

Assembly Bill No. 945 ordered on file.

REPORT OF FREE CONFERENCE COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your Committee of Free Conference concerning Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for the last four months of the forty-sixth fiscal year—report we have met a like committee of the Assembly, consisting of Messrs. Tibbits, Brusie, and Powers, and agreed to recommend that the Assembly recede from its amendment.

DENISON.
MATHEWS.
VOORHEIS.

RESOLUTION—(OUT OF ORDER).

By Senator McAllister:

Resolved, That Assembly Bill No. 945 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section

requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 945 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, and Whitehurst—28.
NOES—Senators Androus and Mahoney—2.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Assembly Bill No. 945—An Act to amend sections nine hundred and three, nine hundred and twenty-five, and nine hundred and twenty-six of the Penal Code, relating to oaths of grand jurors and proceedings of grand juries.

Read first time.

During the second reading of the bill, the following amendments were submitted:

By Senator McAllister:

Amend by striking out of section one, line three, the word "section."

Adopted.

Also: Amend by striking out of section two, line three, the word "section."

Adopted.

Also: Amend by inserting in section three, at the beginning of line three, the figures "926."

Adopted.

Bill read second time, ordered printed as amended, and on special urgency file for third reading.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 11 read, as follows:

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 11.

A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section one of article two of the Constitution of the State of California be amended to read as follows:

Section 1. Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he or she claims to vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, no native of China, no idiot, insane person, or person convicted of any infamous crime, and no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language, and write his or her name, shall ever exercise the privilege of an elector in this State; *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with

its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age and upward at the time this amendment shall take effect.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Orr moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

The Secretary stated that the only absentees without leave were Senators Franck, Mahoney, and Voorheis.

The presiding officer directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

MOTION.

Senator Seawell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Senators Arms, Denison, Dunn, Fay, Flint, Gesford, Langford, Linder, Mathews, Seawell, Toner, and Whitehurst—12.

NOES—Senators Androus, Beard, Bert, Burke, Earl, Ford, Gleaves, Hart, Henderson, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, and Withington—21.

The Sergeant-at-Arms appeared with Senator Franck, who, on motion of Senator Langford, was excused.

Senator Langford moved that further proceedings under the call of the Senate be dispensed with.

Lost.

The Sergeant-at-Arms appeared with Senator Voorheis, who, on motion of Senator Langford, was excused.

Senator Langford moved that further proceedings under the call of the Senate be dispensed with.

Lost.

At four o'clock and thirty-five minutes p. m. Senator Seawell moved to adjourn.

Lost.

Senator McGowan moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Whereupon the Sergeant-at-Arms was directed to open the doors of the Senate.

The presiding officer then announced the vote, and declared that the Senate had adopted Assembly Constitutional Amendment No. 11 by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Earl, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Withington—28.

NOES—Senators Arms, Fay, Mathews, McAllister, Seawell, and Whitehurst—6.

NOTICE OF RECONSIDERATION.

Senator Gesford gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Constitutional Amendment No. 11 was this day adopted.

At four o'clock and forty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 369—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

Also: Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Also: Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding-houses, and lodging-houses.

Also: Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the water front of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880," approved March 19, 1889.

Also: Senate Bill No. 248—An Act to appropriate money for the payment of Chas. A. Hiatt, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

MOTION.

On motion of Senator Withington, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in certain amendments to Assembly Bill No. 959, and refused to concur in the other amendments thereto, and have appointed a conference committee, consisting of Messrs. Dodge, Osborn, and Reid, to consider the same, and ask your honorable body to appoint a like committee.

S. J. DUCKWORTH, Chief Clerk.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The President pro tem. appointed as a Committee of Conference on Assembly Bill No. 959, Senators Withington, Bert, and Henderson.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 892 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

Also: Amended, and passed as amended, Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all property of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Also: Passed Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 631, 43, 235, and 871 ordered to enrollment.

MOTION.

Senator McAllister moved that the Senate concur in the following Assembly amendment to Substitute for Senate Bill No. 787:

Amend the title so as to read as follows:

"An Act to repeal sections one, two, three, four, five, six, seven, and ten of an Act entitled 'An Act for the promotion of the viticultural industries of the State,' approved April fifteenth, eighteen hundred and eighty; also, an Act entitled 'An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture,' approved March fourth, eighteen hundred and eighty-one; also, an Act entitled 'An Act to enlarge the duties of the Board of State Viticultural Commissioners,' approved February twenty-sixth, eighteen hundred and eighty-five; to provide for the completion of unfinished work, for the transfer of the property of the Viticultural Commission, and making an appropriation therefor."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Substitute for Senate Bill No. 787?"

The roll was called, and the Senate concurred in the amendment by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Franck, Gesford, Holloway, Hoyt, Linder, Martin, McAllister, Mitchell, Pedlar, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—24.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth of March, passed Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Also: On March fourteenth passed Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Also: Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Also: Amended, and passed as amended, Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 753, 733, 62, and 402 ordered to enrollment.

MOTION.

Senator Pedlar moved that the Senate concur in the following amendments to Senate Bill No. 434:

Amend by striking out of section one, line nine, the words "shed, outhouse."

Also: Amend section one, line nine, by inserting the word "or" after the word "will."

Also: Amend by striking out of section one, lines nine and ten, the words "or other building or fence that is."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 434?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Senators Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Holloway, Hoyt, Linder, Mahoney, McAllister, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, and Whitehurst—21.

NOES—None.

SENATE CONCURRENT RESOLUTION.

By Senator Smith:

SENATE CONCURRENT RESOLUTION No. 18.

Resolved by the Senate, the Assembly concurring, That the use of the cabin in the Yosemite Valley, by J. M. Hutchings, and the orchard adjoining, of about five acres in extent, planted by him, be and the same are hereby granted to said J. M. Hutchings for the term of ten years.

Senate Concurrent Resolution No. 18 was read.

Senator Smith moved its adoption.

The roll was called, and Senate Concurrent Resolution No. 18 adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Dunn, Fay, Flint, Ford, Franck, Gleaves, Hart, Holloway, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—27.

NOES—None.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

The question being on the final passage of Assembly Bill No. 981.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, Martin, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, and Whitehurst—26.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Simpson, the consideration of Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-

seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, and three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State—was postponed, and reset as a special order for this evening, at seven o'clock and thirty minutes.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That Assembly Bill No. 751 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times and placed upon its passage.

The roll was called, and Assembly Bill No. 751 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Toner, and Whitehurst—29.

NOES—Senator Martin—1.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 751—An Act providing for a general primary election, in counties of certain classes, within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to sup-

port the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 751.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, and Whitehurst—31.

NOES—Senator Martin—1.

Title read and approved. *

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED)—CASE OF URGENCY—
FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No 627.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Fay, Flint, Franck, Gleaves, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, and Whitehurst—23.

NOES—None.

Title read and approved.

RECESS.

At five o'clock and thirty minutes P. M. the President pro tem. declared a recess until seven o'clock and thirty minutes P. M., on motion of Senator Denison.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDER.

Consideration of the confirmation of the appointment of Captain Amun Sevort, of San Diego, to the office of Pilot Commissioner for the Port of San Diego, to succeed S. W. Hackett, whose term is at the pleasure of the Governor.

Upon the question, "Will the Senate advise and consent to the appointment of Captain Amun Sevort, of San Diego, to the office of Pilot Commissioner for the Port of San Diego, California, vice S. W. Hackett, whose term is at the pleasure of the Governor?"

By direction of the President pro tem., the roll was called, with the following result:

AYES—Senators Arms, Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Toner, Voorheis, and Withington—27.
NOES—None.

Whereupon the Chair announced the appointment of Captain Amun Sevort to the office of Pilot Commissioner for the Port of San Diego, California, duly confirmed.

At seven o'clock and forty minutes p. m. Hon. Eugene F. Bert, Senator from the Twentieth District, was called to the chair.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 209—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Read third time.

The question being on the passage of Senate Bill No. 209.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Hart, Mahoney, and Mitchell—3.
NOES—Senators Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Gesford, Gleaves, Henderson, Holloway, Hoyt, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Toner, and Withington—22.

LEAVE OF ABSENCE.

On motion of Senator Withington, the Committee of Conference on Assembly Bill No. 959 was excused for a short time.

On motion of Senator Withington, Senator Gleaves was granted a leave of absence for a short time.

On motion of Senator Ford, Senator Arms was granted a leave of absence for the evening.

Senator Orr moved that the Senate take up and consider bills on the special file of Assembly Bills.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS—CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 600.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Seymour, Toner, Voorheis, and Whitehurst—25.
NOES—None.

Title read and approved.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 605—An Act entitled an Act to amend section number four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 605.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Andrews, Beard, Burke, Denison, Dunn, Earl, Fay, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seymour, Toner, and Withington—24.
NOES—None.

Title read and approved.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and forty-two, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, and two thousand and five of said Code, all relating to the National Guard of California.

Read second and third times.

The question being on the final passage of Assembly Bill No. 618.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Andrews, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Toner, Voorheis, and Withington—29.
NOES—None.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Seymour, Senate Bill No. 765—An Act to promote and encourage ship-building in the State of California—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 187 substituted therefor on the file.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 187.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, Mitchell, Seawell, Seymour, Shippee, Simpson, Toner, and Withington—21.

NOES—Senators Aram, Holloway, Smith, and Whitehurst—4.

Title read and approved.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven,

three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Read third time.

The question being on the final passage of Assembly Bill No. 982.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Burke, Denison, Earl, Fay, Franek, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—27.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 5—Relative to a public building at Eureka.

Passed on file.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 152.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Burke, Denison, Dunn, Earl, Fay, Franek, Gesford, Gleaves, Henderson, Holloway, Mahoney, Martin, Mathews, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Whitehurst—26.
NOES—None.

Title read and approved.

Senator Smith gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 152 was this day finally passed.

Assembly Concurrent Resolution No. 15—Relative to the selection of experienced engineers to examine and report on the piling and concrete work now being done for the State at the ferry landing in San Francisco.

Passed on file.

Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Passed on file.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Hart, Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 682 substituted therefor on the file.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

During the second reading of the bill, the following amendment was submitted by Senator McAllister:

Amend by adding to section two, line three, the words "*provided*, that said appropriation shall not become available until such time as a majority of the property owners, other than the State, owning property facing said streets, shall favor said improvements."

Amendment refused adoption.

Bill read second and third times.

The question being on the final passage of Assembly Bill No. 682.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Bert, Denison, Earl, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Mathews, Mitchell, Seymour, Shine, Simpson, Smith, and Voorheis—22.

NOES—Senators Burke, Fay, McAllister, Orr, Whitehurst, and Withington—6.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Holloway:

Resolved, That Assembly Bills Nos. 604, 757, 736, 575, 701, 168, 413, 479, 609, 954, 903, 861, 694, 332, 897, and 959 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that each bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that each bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Androus, Bert, Burke, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Voorheis, and Withington—28.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 725.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Fay, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Orr, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—26.

NOES—None.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 12.

Joint resolution relative to mines and mining claims situated within the boundaries of the Yosemite National Park.

WHEREAS, The Government of the United States has set aside certain portions of the State of California for a national park, known as Yosemite National Park; and whereas, within the limits of said park are various mines and mining claims, said mines and mining claims having been discovered, held, and worked according to the laws of the United States prior to the formation of such park, many of the owners thereof holding the same by virtue of patents granted by the Government, thus securing vested rights therein, and others by reason of having performed the annual assessment work and other requirements prescribed by the mining laws of the United States; and whereas, the owners of such mines and mining claims are now prohibited from working and operating the same under rulings of the Interior Department, under pain of being arrested as trespassers and subjected to trial; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and request our Representatives in Congress from this State to advocate such legislation, or modification of the rulings of the Interior Department, as shall permit the owners of said mines and mining claims to enjoy the same privileges now that they had prior to the formation of said Yosemite National Park.

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of these resolutions.

Assembly Joint Resolution No. 12 read.

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Pedlar, Seawell, Seymour, Shine, Simpson, Voorheis, and Whitehurst—24.

NOES—None.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

WHEREAS, It appears that certain parties have constructed dams in the American River, above Folsom; in the Stanislaus River, at Knight's Ferry; and in the Tuolumne River, near La Grange; and by reason of such obstructions the salmon are unable to reach the headwaters of the American, Stanislaus, and Tuolumne Rivers; therefore, be it

Resolved by the Assembly, the Senate concurring. That the Fish Commissioners are hereby directed to notify the owners of said dams to immediately comply with the law by placing fish ladders on such dams, to the end that the salmon in said rivers may reach their natural spawning grounds unmolested and without obstruction.

Resolved, That in case the owners of said dams refuse or neglect to construct such fish ladders before September first, eighteen hundred and ninety-five, the Attorney-General be instructed to immediately commence proceedings against them for the enforcement of the law and the collection of the penalties provided in case of such refusal or neglect.

Assembly Concurrent Resolution No. 10 read.

The roll was called, and Assembly Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Aram, Beard, Denison, Earl, Fay, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Pedlar, Seawell, Seymour, Shine, Voorheis, Whitehurst, and Withington—23.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 616.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Earl, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Langford, Linder, Martin, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

Passed on file.

At nine o'clock and thirty minutes p. m. Hon. Thomas Flint, Jr., President pro tem., resumed the chair.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe; and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Read second and third times.

The question being on the final passage of Assembly Bill No. 439.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, Mitchell, Pedlar, Seymour, Shine, Shippee, Smith, Voorheis, Whitehurst, and Withington—27.

NOES—Senators Burke, Fay, McAllister, Orr, and Seawell—5.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Holloway, Senate Bill No. 398—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the trustees; to fix term of office of trustees, and to provide the manner of their election, in cities of less than one hundred thousand population—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 604 substituted therefor on file.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 604—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof."

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 604.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Martin, McAllister, McCowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Toner, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

CASE OF URGENCY—FIRST READING OF BILL.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hun-

dred and forty-five, two thousand six hundred and fifty-two, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

Read first time, and on motion of Senator Smith, the further consideration of the bill was made a special order for to-morrow morning, immediately after the reading of the Journal.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Pedlar, Senate Bill No. 704—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to repeal section seven hundred and twenty-nine thereof, relating to actions for the foreclosure of mortgages—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 370 substituted therefor on the file.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 370.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Henderson, Hoyt, Langford, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Whitelurst, and Withington—27.
NAYS—None.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 9.

Joint resolution relative to requesting Congress to so amend the laws granting certain arid lands to the States, as to permit the State of California to reclaim such lands and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University.

WHEREAS, The Congress of the United States, by section four of an Act approved August eighteenth, eighteen hundred and ninety-four, entitled "An Act making provisions for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes," granted to each of the States in which there may be situated desert lands, as defined by law, not exceeding one million of acres in each State, for the purpose of aiding and reclaiming the said lands, by the terms of which Act the State in which said lands are situated is authorized to make application by filing with the Secretary of the Interior a map of the lands to be retained, together with a plan showing the mode of contemplated irrigation, and the Secretary of the Interior is required to issue patents to the State for said lands when reclaimed and settled in tracts not exceeding one hundred and sixty acres for one person; and whereas, the said Act requires said lands to be sold and the proceeds of such sale to be applied to the reclamation of such lands; and whereas, there are in said State of California fully one million acres of arid lands, now worthless, which if reclaimed would be of the value of one hundred million dollars, or more, and the same could be reclaimed by the State at a reasonable cost, and after being reclaimed could be made a permanent endowment for the public schools and University of the State, creating

therefor an annual rental and net income equal to several millions of dollars per annum, thus constituting a perpetual revenue sufficient to sustain the State University and schools for the education of future generations; now therefore, be it

Resolved by the Assembly, and Senate concurring. That our Senators in Congress be instructed, and our Representatives be requested, to urge the Congress of the United States to so amend the law aforesaid as to permit the State of California to reclaim the said lands and retain the ownership thereof for the purpose of constituting an endowment for the schools and University, applying the annual rentals of said lands to the support of said schools.

Assembly Joint Resolution No. 9 read.

The roll was called, and Assembly Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Henderson, Holloway, Hoyt, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Voorheis, Whitehurst, and Withington—24.

NOES—None.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 714.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Simpson, Smith, Voorheis, and Whitehurst—27.

NOES—None.

Title read and approved.

Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 246.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Henderson, Holloway, Martin, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, and Whitehurst—22.

NOES—None.

Title read and approved.

Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Read first, second, and third times.

MOTION.

Senator Pedlar moved that Assembly Bill No. 221 be referred to Senator Orr, as a special committee of one, with instructions to amend the bill as follows:

Amend by striking out of section one, all of lines seven and eight, and all of line nine, to the word "named," inclusive.

Also: Strike out in section one, line one, the word "fifteen," and insert "five."

Also: Strike out of title all of second line.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 221, with instructions to amend, respectfully reports the same back, amended as per instructions.

ORR, Committee.

Report of committee of one and amendment adopted.
Assembly Bill No. 221 ordered printed as amended.

REPORT OF COMMITTEE OF CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: Your Committee of Conference, to whom was referred Assembly Bill No. 959, recommend that the Senate recede from its amendment to section one hundred and sixty, on line nineteen, page fifty-four.

Also: That the Assembly concur in Senate amendment to said section on line thirty-one, page fifty-four.

Also: That the Assembly concur in Senate amendment to said section from line twenty-four to line thirty, inclusive, on page fifty-four.

Also: That the Assembly concur in Senate amendment to said section, lines forty-four to forty-six, inclusive, on page fifty-five.

Also: That the Assembly concur in Senate amendments to said section, lines forty-eight and forty-nine, on page fifty-five.

Also: That the Assembly concur in Senate amendments from line fifty-three to line fifty-seven, inclusive, page fifty-five, in said section.

Also: That the Assembly concur in Senate amendment to said section on lines sixty-seven and sixty-eight, page fifty-six.

Also: That the Senate recede from its amendment to section one hundred and sixty, subdivision fourteen, in so far as said amendment raises the salary of Constable to one hundred dollars per month.

Your committee further recommends that the Assembly concur in Senate amendment to section one hundred and seventy.

Your committee further recommends that the Assembly concur in Senate amendment to section one hundred and seventy-two, line fourteen, page seventy-four.

Also: That the Assembly concur in Senate amendment to said section, lines fifteen and sixteen, page seventy-four.

Also: That the Senate recede from its amendment to said section, on line thirty, and lines thirty-four and thirty-five, page seventy-five.

Your committee recommends that the Assembly concur in Senate amendments to section one hundred and seventy-nine.

Your committee recommends that no change is necessary in section one hundred and ninety-seven.

Your committee further recommends that the Assembly concur in Senate amendments to section two hundred.

Your committee further recommends that the Assembly concur in Senate amendments in sections one hundred and eighty-six, except Senate amendment on line thirteen, page eighty-nine.

Your committee further recommends that the Senate recede from its amendment to section two hundred and eight, on lines nine and ten, page one hundred and nine.

Also: That the Assembly concur in Senate amendment to said section on lines twenty and twenty-one, page one hundred and nine.

Your committee recommends that the Assembly concur in Senate amendment, section one hundred and ninety-three, page ninety-five, lines nine and ten.

Your committee further recommends that the Senate recede from its amendment to section two hundred and fifteen, line thirty-one, page one hundred and fourteen, in so far as it provides for one additional deputy, to act as register clerk, and that the same be referred to a committee of free conference for such action as they deem proper.

Your committee further reports that they are unable to agree as to any recommendation upon Senate amendment to section one hundred and seventy-two, line forty-four, page seventy-five, and that the same be referred to a committee of free conference for such action as they deem proper.

Your committee further reports that they are unable to agree upon Senate amendment to section one hundred and eighty-six, on line thirteen, page eighty-nine, and that the same be referred to a committee of free conference, for such action as they deem proper.

WITHINGTON,
ENDERSON,
BERT,
Committee.

MOTION.

Senator Seymour moved that the further consideration of the above report be made the special order for to-morrow, immediately after reading the Journal.

Lost.

MOTION.

Senator Orr moved that the report of the Committee of Conference on Assembly Bill No. 959 be adopted.

The roll was called, and the report rejected by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Fay, Franck, McAllister, Pedlar, Seawell, Smith, Whitehurst, and Withington—12.

NOES—Senators Denison, Dunn, Earl, Flint, Ford, Gesford, Hoyt, Mahoney, Martin, McGowan, Mitchell, Orr, Seymour, Toner, and Voorheis—15.

MOTION.

Senator Orr moved that the Senate adopt the report of the Committee of Conference on Assembly Bill No. 959, with the exception of the following items:

“Recommend that the Senate recede from its amendment to section one hundred and sixty, on line nineteen, page fifty-four.”

Also: “That the Senate recede from its amendment to section one hundred and sixty, subdivision fourteen, in so far as said amendment raises the salary of Constable to one hundred dollars per month.”

Said items to be referred to a committee of free conference with other items contained in said report.

The roll was called, and the report adopted, with the above exception, by the following vote:

AYES—Senators Aram, Androus, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Hoyt, Langford, Mahoney, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Voorheis—28.

NOES—None.

MOTION.

Senator Orr moved that the President pro tem. appoint a committee of free conference on Assembly Bill No. 959.

So ordered.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The President appointed as such committee, Senators McGowan, Shine, and Martin.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Assembly Bill No. 607—An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California.

Read first time.

During the second reading of the bill, the following amendment was submitted by Senator Langford:

Amend by striking out of section three, line thirteen, the words "two years" and inserting the following: "one year."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School at Los Angeles, California.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 19.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Earl, Fay, Flint, Franck, Hart, Henderson, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—24.

NOES—None.

Title read and approved.

At eleven o'clock and fifteen minutes p. m. Hon. Orestes Orr, Senator from the Thirty-fifth District, was called to the chair.

Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 399.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, and Whitehurst—25.

NOES—None.

Title read and approved.

Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 148.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

At eleven o'clock and twenty-five minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 798.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Toner, Voorheis, and Whitehurst—27.

NOES—None.

Title read and approved.

Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 708.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, Mitchell, Seawell, Seymour, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 120.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Denison, Dunn, Earl, Fay, Ford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, Mitchell, Seymour, Shine, Shippee, Smith, Toner, and Voorheis—22.

NOES—Senator Seawell—1.

Title read and approved.

ADJOURNMENT.

At eleven o'clock and forty minutes P. M., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, March 15, 1895. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Gleaves.

LEAVE OF ABSENCE.

At ten o'clock and fifteen minutes A. M. Senator Androus was granted a leave of absence for fifteen minutes, and Senator Dunn for one hour.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill, for services as stenographer, and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

If the services performed by the stenographer were authorized by the Court of Inquiry, and if the charge made is reasonable and just, the claim should be allowed by the Board of Military Auditors, and made payable from the liberal appropriation of two hundred and fifteen thousand dollars for armory rents and other expenses of the National Guard for the forty-fifth and forty-sixth fiscal years.

The Court of Inquiry, for which this service was performed, found that two companies should be mustered out. In accordance with the report, the Commander-in-Chief ordered the companies mustered out; hence, the saving in the allowance for two companies for six months of the forty-sixth fiscal year is more than sufficient to pay the claim of the stenographer. The money should be in the Military Fund, and the claim should be presented to the Board of Military Auditors.

The Finance Committee is convinced that the allowance by the Legislature of this claim for services performed for the Court of Inquiry, would pave the way to the introduction of similar claims in connection with Military Courts. With the precedent of one appropriation established by the Legislature, there is no telling where like demands on the Treasury would end.

The committee, therefore, respectfully report, recommending that the bill do not pass.

VOORHEIS, Chairman.

SPECIAL ORDERS—THIRD READING OF BILL.

Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Read third time.

The question being on the final passage of Assembly Bill No. 669.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Seawell, Seymour, Shine, Shippee, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

At ten o'clock and twenty minutes A. M. Hon. Eugene F. Bert, Senator from the Twentieth District, was called to the chair.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State—was, on motion, postponed, and reset as a special order for to-day, at two o'clock P. M.

SECOND READING OF BILL.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

During the second reading of the bill, Senator Hart moved to amend as follows:

By striking out all of section two.

Adopted.

Senator Smith moved to amend as follows:

By striking out of section five, line thirteen, all of the section after the word "section."

Adopted.

Bill read second time.

Senator Withington moved to amend as follows:

By renumbering the sections three to nine, to two to eight.

Adopted.

Also: Amend by striking out of section three, lines thirty-two and thirty-three, the words "under the care and control of the Road Overseer."

Pending action on the above amendment, the further consideration of bill was temporarily postponed.

MOTION.

On motion of Senator Hart, Assembly Bill No. 710 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 710.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Fay, Senate Constitutional Amendment No. 13 was taken up for consideration.

SENATE CONSTITUTIONAL AMENDMENT No. 13.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby proposes that article eleven of the Constitution of said State be amended by adding thereto a section to be numbered eight and one half, and which said section is as follows, to wit:

Section 8½. It shall be competent, in all charters framed under the authority given by section eight of article eleven of this Constitution, to provide, in addition to those provisions allowable by this Constitution and by the laws of the State, as follows:

1. For the constitution, regulation, government, and jurisdiction of Police Courts, and for the manner in which, the times at which, and the terms for which the Judges of such Courts shall be elected or appointed, and for the compensation of said Judges and of their clerks and attachés.

2. For the manner in which, the times at which, and the terms for which the members of Boards of Education shall be elected or appointed, and the number which shall constitute any one of such Boards.

3. For the manner in which, the times at which, and the terms for which the members of the Boards of Police Commissioners shall be elected or appointed; and for the constitution, regulation, compensation, and government of such Boards and of the municipal police force.

4. For the manner in which, the times at which, and the terms for which the members of all Boards of Election shall be elected or appointed, and for the constitution, regulation, compensation, and government of such Boards, and of their clerks and attachés, and for all expenses incident to the holding of any election.

Where a city and county government has been merged and consolidated into one municipal government, it shall also be competent in any charter framed under said section eight of said article eleven, to provide for the manner in which, the times at which, and the terms for which the several county officers shall be elected or appointed, for their compensation, and for the number of deputies that each shall have, and for the compensation payable to each of such deputies.

Senate Constitutional Amendment No. 13 read.

The roll was called, and Senate Constitutional Amendment No. 13 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—35.

NOES—None.

MOTION.

On motion of Senator Fay, Senate Constitutional Amendment No. 25 was taken up for consideration.

SENATE CONSTITUTIONAL AMENDMENT No. 25.

A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, in the

year one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section six of article eleven of the Constitution of said State be amended so as to read as follows:

Section 6. Corporations for municipal purposes shall not be created by special laws; but the Legislature, by general laws, shall provide for the incorporation, organization, and classification, in proportion to population, of cities and towns, which laws may be altered, amended, or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith; and cities and towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution, except in municipal affairs, shall be subject to and controlled by general laws.

Senate Constitutional Amendment No. 25 read.

The roll was called, and Senate Constitutional Amendment No. 25 adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Orr, Senate Bill No. 861—An Act to amend the Civil Code, by adding to chapter three, of title three, of part one, of division four, a section, to be numbered three thousand four hundred and twenty-four, concerning equitable relief in cases of a multiplicity of statutory penalties—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 198 substituted therefor on the file.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water, and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 198.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Earl, Fay, Flint, Franck, Gesford, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—28.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

On motion of Senator McAllister, Assembly Bill No. 337—An Act for the certification of land titles and the simplification of the transfer of real estate—was, with the unanimous consent of the Senate, withdrawn, and the following explanation ordered printed in the Journal:

The consideration of this bill (Assembly Bill No. 337) before the Judiciary Committee has satisfied the authors of the measure that some amendments of the same would be necessary and proper before it could be urged to final passage in the face of an adverse

report from the Judiciary Committee. It is now too late in the session to have the bill amended in any form. Therefore, while believing fully in the desirability and efficiency of this system of registration, I ask that the bill be withdrawn from the files.

RESOLUTION.

By Senator Voorheis:

Resolved, That the following Assembly Bills, which are all deficiency bills and have been approved by the Board of Examiners, Assembly Bills Nos. 877, 601, 599, and 694, be taken up and put on final passage.

Adopted.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-sixth fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 877.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, Mitchell, Seawell, Seymour, Shine, Simpson, Voorheis, and Whitehurst—24.

NOES—None.

Title read and approved.

Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 601.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Burke, Earl, Fay, Flint, Ford, Franck, Gleaves, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—Senators Beard and Mahoney—2.

Title read and approved.

Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 599.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Earl, Flint, Ford, Franck, Henderson, Holloway, Hoyt, Linder, Martin, Mathews, McAllister, Orr, Seymour, Shippee, Simpson, Smith, and Voorheis—23.

NOES—None.

Title read and approved.

Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 694.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, McAllister, Pedlar, Seymour, Shippee, Simpson, Smith, Voorheis, and Whitehurst—24.

NOES—Senator Mathews—1.

Title read and approved.

MOTION.

On motion of Senator Aram, Assembly Bill No. 757 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 757.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Denison, Earl, Fay, Franck, Gesford, Gleaves, Hart, Holloway, Mahoney, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Voorheis, Whitehurst, and Withington—24.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Arms, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 495—An Act to prevent the use of the Capitol building for dancing.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 495 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors—and respectfully ask your honorable body to recede from said amendments.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, receded from Assembly amendments to Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 327 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 921—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Also: Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population.

Also: Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

Also: Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol.

Also: Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Also: Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 921, 739, 1007, 402, 566, and 125 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Also: Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Also: Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Also: Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

Also: Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 930, 907, 756, 823, and 880 ordered on file.

At eleven o'clock and twenty-five minutes A. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Withington:

Resolved, That a committee, consisting of three holdover Senators, be appointed by the President pro tem., whose duty it shall be to report to the Legislature at its next session a better and cheaper method than the present of proceeding with legislative business; to perfect a better system for making up files, histories, etc., which will provide each member with a complete transcript of the business of both houses up to the time of convening each day; to simplify the clerical work at the desk, and in the several offices, so that the work assigned each can be more readily performed; to lessen the necessity for so much printed matter, and to make such other recommendations, the adoption of which they deem would expedite the business and facilitate the work of the Legislature.

Resolved further, That said committee be empowered to employ two clerks, and the State Printer directed to do all the necessary printing.

Resolved, That the sum of one thousand dollars is hereby appropriated out of the Contingent Fund of the Senate for the purpose of paying the clerical help, and the Controller is hereby directed to draw his warrant for the same in favor of the Chairman of the committee, and the Treasurer directed to pay the same.

MOTIONS.

Senator Withington moved the adoption of the resolution without reference to committee.

Lost.

On motion of Senator Seymour, the above resolution was referred to Committee on Attachés, Contingent Expenses, and Mileage.

RESOLUTION.

By Senator Bert:

Resolved, That Assembly Bills Nos. 920, 907, 756, 823, 880, 921, 739, 314, 1007, 402, 506, 125, and 496 present cases of urgency as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that each bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that each said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Smith, Voorheis and Whitehurst—28.

NOES—None.

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Arms, Senate Bill No. 692—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan—was, with the unanimous consent of the Senate, withdrawn, and Assembly Bill No. 756 substituted therefor on the file, the bills being identical.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 756.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Andrews, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McAllister, Mitchell, Seymour, Shippee, Toner, Voorheis, Whitehurst, and Withington—24.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Seymour, Assembly Bill No. 702 was taken up for consideration.

FINAL PASSAGE OF BILL.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Seymour moved a call of the Senate.

So ordered.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Beard, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary stated that the only absentees without leave were Senators Bert, Linder, and McGowan.

The President pro tem. directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Mahoney moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Whereupon the Sergeant-at-Arms was directed to open the doors of the Senate.

The President pro tem. then announced the vote, and declared that the Senate finally passed Assembly Bill No. 702 by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Earl, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, and Withington—23.

NOES—Senators Burke, Fay, Gesford, Langford, Mathews, McAllister, Seawell, Toner, Voorheis, and Whitehurst—10.

Title read and approved.

APPROVAL OF JOURNALS.

The Journals of Tuesday, March 12, 1895, and Wednesday, March 13, 1895, were approved.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom were referred the following resolutions:

Resolved, That the sum of five hundred dollars be and is hereby directed to be paid to the Secretary of the Senate, out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Senate, and the Treasurer to pay the same, said sum to be distributed by said Secretary to himself and to the persons performing the work in compiling the History of Senate Bills, Constitutional Amendments, and Joint Resolutions; be it further

Resolved, That the Secretary in charge be and he is hereby directed and instructed to remain over at the State Capitol after adjournment of the thirty-first session of the Legislature *sine die*, for a sufficient time to complete a final copy of the Senate Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard cover.

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of said Secretary, payable out of the appropriation for the contingent expenses of the Senate, and the Treasurer directed to pay the same, for the purpose of paying the necessary postage upon such final history.

Also:

Resolved, That the Minute Clerk and his assistants be and they are hereby each allowed the sum of one hundred dollars, for the work to be done by them after the final adjournment of this body, viz.: The rearranging, labeling, etc., of the original minutes, which are required to be filed with the Secretary of State. The sum hereby allowed is payable out of the Contingent Fund of the Senate, and the Controller is hereby directed and authorized to draw his warrants for the same, and the Treasurer is hereby directed and authorized to pay the same.

Also

Resolved, That Geo. A. Leon, Assistant Secretary of the Senate, be and he is hereby allowed the sum of fifty dollars, the same as allowed the other Assistant Secretaries by law, to assist in preparing and delivering to the Secretary of State, after the final adjournment of this body, all necessary papers and documents; the same payable out of the Contingent Fund of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the same, and the Treasurer to pay the same.

Also:

Resolved, That C. Clark, Assistant Secretary of the Senate, be and he is hereby allowed the sum of fifty dollars, the same as allowed the other Assistant Secretaries by law, to assist in preparing and delivering to the Secretary of State, after the final adjournment of this body, all necessary papers and documents; the same payable out of the fund for contingent expenses of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the same, and the Treasurer to pay the same.

Also:

Resolved, That C. L. Pardee, Assistant Secretary of the Senate, be and he is hereby allowed the sum of fifty dollars, the same as allowed the other Assistant Secretaries by law, to assist in preparing and delivering to the Secretary of State, after the final adjournment of this body, all necessary papers and documents; the same payable out of the Contingent Fund of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the same, and the Treasurer to pay the same.

Also:

Resolved, That T. A. Simpson, Journal Clerk of the Senate, and S. A. Williams and J. N. Larkin, Assistant Journal Clerks of the Senate, be and are hereby employed after the final adjournment of the thirty-first session of the Legislature, for the purpose of completing the work devolving upon them as Journal Clerks of the Senate, in arranging and properly sealing the original minutes of the Senate, and delivering the same to the Secretary of State, and in correcting the Journals of the Senate and delivering the corrected and approved Journals, and the bond paper copies of the same, to the Secretary of the Senate, and that they each be allowed pay for the period of one week from and after the date of final adjournment of the thirty-first session of the Legislature, at the same per diem as they are now receiving therefor, payable out of the Contingent Fund of the Senate, and that the Controller be and is hereby directed to draw his warrants for the said amounts in favor of T. A. Simpson, S. A. Williams, and J. N. Larkin, and the Treasurer is directed to pay the same.

Also:

Resolved, That Miss Kittie McHugh, Postmistress, and Mrs. Anna Blanchard, Assistant Postmistress, be allowed pay for one week after the final adjournment of the thirty-first session of the Legislature, for the services to be rendered in receiving and sending mail to its proper Post Office address, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant in favor of said parties, and the Treasurer directed to pay the same.

Also:

Resolved, That Robert Hanford be allowed pay for the period of seven days from and after the date of the final adjournment of the thirty-first session of the Legislature, at the same per diem which he is now receiving, for services to be rendered by him in taking mail to and from the Post Office after such adjournment, and the Controller is hereby authorized and directed to draw his warrant upon the Treasurer in favor of the said Robert Hanford for said seven days' pay, and the Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Senate.

Also:

Resolved, That L. F. Blackburn, Sergeant-at-Arms, L. H. Pedlar, Bookkeeper, and W. W. Taylor, Bill Clerk, be and they are hereby employed one week after the adjournment of the thirty-first session of the Legislature, to conclude the business of the Sergeant-at-Arms' office, each to receive the per diem he now receives for the same services, payable out of the fund for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Also:

Resolved, That S. W. Metcalf, Watchman of the Senate, be and he is hereby employed for one week after the adjournment of the thirty-first session of the Legislature as Watchman, at the same per diem received by him now for the same services, payable out of the fund for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of twenty-one dollars and fifty cents, per vouchers hereto attached, said warrant to be so drawn upon the fund for the contingent expenses of the Senate:

SACRAMENTO, March 14, 1895.

State of California to L. F. Blackburn, Dr.:

For expenses incurred, as follows:	
Union Ice Company, 1,400 pounds of ice, at 1 cent.....	\$14 00
Mrs. McCall, washing towels.....	5 00
D. Falconer, rehanging windows.....	2 50
Total	\$21 50

Also:

WHEREAS, A resolution was regularly adopted by the Senate, in the early part of the session, directing the Secretary of State to deliver to L. F. Blackburn, Sergeant-at-Arms of the Senate, forty-five copies of the Codes and Constitution of California, for the use of the Senators and officers of the Senate; and whereas, the Secretary of State, in accordance with said resolution, delivered to the Sergeant-at-Arms such Codes and Constitution; and whereas, said Sergeant-at-Arms directed his assistants to deliver said Codes and Constitution to the members of the Senate and officers thereof; and whereas, the Codes and Constitution so directed to be delivered to Senators Shippee, Dunn, Whitehurst, and Voorheis were duly left upon the desks of such Senators, and were by some person or persons unknown abstracted therefrom; and whereas, the Sergeant-at-Arms, at his own expense, duplicated the order for four sets of such Codes and Constitution, which he delivered to the above-named Senators; therefore,

Resolved, That the Controller be and he is hereby directed to draw a warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of forty-five dollars, per vouchers hereto attached, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

The roll was called, and the above report of the Committee on Attachés, Contingent Expenses, and Mileage, and the accompanying resolutions, adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Dunn, Earl, Flint, Frank, Gleaves, Hart, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst—27.
NOES—None.

RESOLUTION.

By Senator Aram:

Resolved, That L. H. Pedlar be and is hereby allowed the sum of twenty-four dollars (\$24) for three days' services from January 7, to January 9, 1895, to be paid out of the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for said amount, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

At twelve o'clock M. the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Frank, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

SPECIAL ORDER—CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State.

Read first, second, and third times.

MOTION.

Senator Mathews moved that Assembly Bill No. 736 be referred to Senator Linder, as a special committee of one, with instructions to amend the bill as follows:

Strike out of section six, line four, the words "the several"; also, all of lines five, six, and seven; also, the words "for a substitute teacher, and," in line eight.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your committee of one, to whom was referred Assembly Bill No. 736, with instructions to amend, respectfully reports the same back, amended as per instructions.

LINDER, Committee.

Report of committee of one and amendment adopted.

Assembly Bill No. 736 ordered printed as amended, and on motion of Senator Bert was set as a special order for to-morrow, immediately after the reading of the Journal.

The President pro tem. announced for consideration the message from the Assembly, reporting the action of that body on the Senate amendments to Assembly Bill No. 470, and requesting the Senate to recede from the amendments, which read as follows:

Insert the word "male" after the word "native," and after the word "every," in line three of section one, and after the word "every," on line four of section one, and strike out the words "or her," on line ten of section one.

The question being, "Shall the Senate recede from its amendments to Assembly Bill No. 470?"

The roll was called, and the Senate receded from its amendments to Assembly Bill No. 470 by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Earl, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, McGowan, Orr, Pedlar, Seymour, Shine, Smith, and Voorheis—19.

NOES—Senators Aram, Burke, Fay, Flint, Gesford, Henderson, Linder, Martin, Mathews, McAllister, Seawell, Whitehurst, and Withington—13.

SPECIAL ORDER.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

MOTION.

Senator Orr moved that the enacting clause of the bill be stricken out. The roll was called, and the motion carried by the following vote:

AYES—Senators Androus, Beard, Burke, Denison, Fay, Ford, Gesford, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, McAllister, Orr, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Withington—21.

NOES—Senators Arms, Bert, Earl, Flint, Franck, Gleaves, Langford, Shine, Smith, and Voorheis—10.

MOTION.

Senator Bert moved that the Senate reconsider the vote whereby the Senate this day receded from its amendments to Assembly Bill No. 470.

The question being, "Shall the Senate reconsider the vote whereby the Senate this day receded from its amendments to Assembly Bill No. 470?"

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Dunn, Fay, Flint, Gesford, Henderson, Linder, Martin, Mathews, McAllister, Seawell, Shine, Shippee, Whitehurst, and Withington—19.

NOES—Senators Androus, Denison, Earl, Gleaves, Hart, Holloway, Hoyt, Mahoney, McGowan, Orr, Pedlar, Seymour, Smith, and Voorheis—14.

The question then recurring on the question, "Shall the Senate recede from its amendments to Assembly Bill No. 470?"

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator McGowan moved a call of the Senate.

The roll was called, and the motion lost by the following vote:

AYES—Senators Androus, Denison, Earl, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, McGowan, Orr, Pedlar, Seymour, and Voorheis—12.

NOES—Senators Aram, Arms, Beard, Bert, Burke, Dunn, Flint, Ford, Gesford, Henderson, Linder, Martin, Mathews, McAllister, McGowan, Orr, Seawell, Shippee, Whitehurst, and Withington—20.

The President pro tem. then announced the vote, and declared that the Senate refused to recede from its amendments to Assembly Bill No. 470 by the following vote:

AYES—Senators Androus, Denison, Earl, Franck, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, McGowan, Orr, Pedlar, Seymour, and Smith—15.

NOES—Senators Aram, Arms, Beard, Bert, Burke, Dunn, Fay, Flint, Gesford, Henderson, Linder, Martin, Mathews, McAllister, Seawell, Shine, Shippee, Voorheis, Whitehurst, and Withington—20.

At three o'clock and thirty minutes p. m. Hon. Eugene F. Bert, Senator from the Twentieth District, was called to the chair.

REPORT OF COMMITTEE OF FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your Committee of Free Conference concerning the disagreement of the two houses, with reference to certain amendments made by the Senate to Assembly Bill No. 959, entitled "An Act to establish a uniform system of county and township governments," report that we have met a like committee of the Assembly, consisting of Assemblymen Cutter, Hatfield, and Sanford, and we report that the committee unanimously agreed upon and recommend the following:

That the Assembly concur in the Senate amendments to section one hundred and sixty.

That the Senate recede from its amendment to section one hundred and seventy-two, lines forty-two, forty-three, and forty-four, printed bill, as last amended.

That section one hundred and eighty-six, line thirteen, be amended so as to read: "The Assessor, two thousand eight hundred dollars per annum."

That section one hundred and ninety-four, line nine, be amended by adding thereto the words "which shall be in full for all services as Tax Collector and as License Collector."

That section two hundred and one, line nine, be amended by adding thereto the words "which shall be in full for all services as Tax Collector and as License Collector."

That the Senate amendment to section two hundred and fifteen be amended by

striking out of line thirty-one the words "and one additional deputy, to act as register clerk," and that the Assembly concur in the Senate amendment when so amended.

McGOWAN,
SHINE,
MARTIN,
Committee.

The roll was called, and the report of the Committee of Free Conference adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Martin, McAllister, McGowan, Orr, Pedlar, Seymour, Shine, Shippee, Smith, Whitehurst, and Withington—27.

NOES—None.

SPECIAL FILE—ASSEMBLY BILLS.

Assembly Joint Resolution No. 5—Relative to a public building at Eureka.

Passed on file.

MOTION.

Senator Denison moved that Assembly Bill No. 609, number five hundred and seventeen on file, which was made a case of urgency by the Senate last evening, be now taken up and read the first, second, and third times, and placed upon its final passage.

So ordered.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 609.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Earl, Fay, Ford, Franck, Hart, Henderson, Holloway, Hoyt, Martin, McAllister, Orr, Pedlar, Seawell, Seymour, Shippee, Smith, Whitehurst, and Withington—23.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Franck:

Resolved. That the provisions of the Constitution (section two, article four) relating to the time when bills may be introduced are hereby suspended, and permission is hereby granted to introduce Senate Bill No. 893.

The roll was called, and the resolution adopted, and the provisions of the Constitution suspended, by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin,

McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, and Whitehurst—31.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced and read by title:

By Senator Franck: Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend an Act entitled 'An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in said Home,' approved March 16, 1889."

RESOLUTION—(OUT OF ORDER).

By Senator Franck:

Resolved, That Senate Bill No. 893 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times and placed upon its passage.

The roll was called, and Senate Bill No. 893 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Langford, Mahoney, Mathews, McAllister, McGowan, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, and Whitehurst—30.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend an Act entitled 'An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in said Home,' approved March 16, 1889."

Read first and second times, considered engrossed, read a third time, and the roll being called, was passed by the following vote:

AYES—Senators Aram, Androus, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, McAllister, McGowan, Orr, Seymour, Shippee, Simpson, Smith, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

On motion of Senator Androus, Senate Bill No. 893 was ordered printed and immediately transmitted to the Assembly.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

ASSEMBLY CONCURRENT RESOLUTION No. 15.

Relative to the selection of experienced engineers to examine and report on the piling and concrete work now being done for the State at the ferry landing in San Francisco.

Resolved by the Assembly, the Senate concurring. That Col. George H. Mendell and Major W. H. Heuer be and they are hereby selected and requested to carefully examine the piling and concrete work now being done by the Harbor Commissioners for the State at the ferry landing, foot of Market Street, in the city of San Francisco, and report fully to this Legislature as to the character of said work, the character of the material used, and generally as to whether the work is well done and suited to the purposes intended.

Assembly Concurrent Resolution No. 15 read.

The roll was called, and Assembly Concurrent Resolution No. 15 refused adoption by the following vote:

AYES—Senators Arms, Ford, Mahoney, Martin, Mathews, and Whitehurst—6.

NOES—Senators Aram, Beard, Denison, Earl, Fay, Flint, Franck, Gleaves, Henderson, Holloway, McAllister, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, and Withington—17.

FINAL PASSAGE OF BILL.

Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Dunn, Earl, Fay, Flint, Gesford, Gleaves, Henderson, Martin, Mathews, McAllister, Orr, Seymour, Shine, Shippee, Simpson, and Whitehurst—21.

NOES—Senators Franck, Hart, Holloway, Hoyt, Mahoney, Smith, and Toner—7.

Title read and approved.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 709.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—24.

NOES—None.

Title read and approved.

MOTION.

Senator McAllister moved to take up messages from the Governor.
So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 14, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 3, 291, 365, 110, and 313.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 529 and 892.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1895. }

To the Senate of the State of California:

I hereby nominate the following named as Pilot Commissioners for the ports of San Francisco, Mare Island, and Benicia: Charles Mayo, of San Francisco, vice A. Y. Trask; John Hackett, of Oakland, vice Wm. Young, deceased; Philip Caduc, of San Francisco, vice J. H. Bruce, term expired, and respectfully ask your consent to and approval of the same.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1895. }

To the Senate of the State of California:

I hereby nominate Samuel Brauhart, of San Francisco, Port Warden of San Francisco, vice S. K. Thornton, term expired; also, P. J. Harney, of San Francisco, Port Warden of San Francisco, vice B. J. Watson, term expiring March 30, 1895, and respectfully ask your consent to the same.

JAMES H. BUDD, Governor.

MOTION.

Senator Orr moved to proceed with the consideration of the Governor's appointments.

So ordered.

Consideration of the confirmation of the appointment of Charles Mayo, of San Francisco, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, to succeed A. Y. Trask.

Upon the question, "Will the Senate advise and consent to the appointment of Charles Mayo, of San Francisco, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, California, vice A. Y. Trask?"

By direction of the presiding officer, the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Francis, Gestford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—31.

NOES—None.

Whereupon the Chair announced the appointment of Charles Mayo to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, California, duly confirmed.

Consideration of the confirmation of the appointment of John Hackett, of Oakland, California, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, vice Wm. Young, deceased.

Upon the question, "Will the Senate advise and consent to the appointment of John Hackett, of Oakland, California, to the office of

Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, vice Wm. Young, deceased?"

By direction of the presiding officer, the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Mahoney, Martin, Mathews, McAllister, Pedlar, Seawell, Seymour, Shippee, Smith, and Whitehurst—26.

NOES—None.

Whereupon the Chair announced the appointment of John Hackett to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, California, duly confirmed.

Consideration of the confirmation of the appointment of Philip Caduc, of San Francisco, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, vice J. H. Bruce, term expired.

Upon the question, "Will the Senate advise and consent to the appointment of Philip Caduc, of San Francisco, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, vice J. H. Bruce, term expired?"

By direction of the presiding officer, the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Franck, Gleaves, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—26.

NOES—None.

Whereupon the Chair announced the appointment of Philip Caduc to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, duly confirmed.

Consideration of the nomination of Samuel Brauhnart, of San Francisco, to the office of Port Warden for the port of San Francisco, vice S. K. Thornton, term expired.

Upon the question, "Will the Senate advise and consent to the appointment of Samuel Brauhnart, of San Francisco, to the office of Port Warden for the port of San Francisco, vice S. K. Thornton, term expired?"

By direction of the presiding officer, the roll was called, with the following result:

AYES—Senators Aram, Arms, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—32.

NOES—None.

Whereupon the Chair announced the appointment of Samuel Brauhnart to the office of Port Warden for the port of San Francisco duly confirmed.

Confirmation of the nomination of P. J. Harney, of San Francisco, to the office of Port Warden for the port of San Francisco, vice B. J. Watson, term expiring March 30, 1895.

Upon the question, "Will the Senate advise and consent to the appointment of P. J. Harney, of San Francisco, to the office of Port Warden for the port of San Francisco, vice B. J. Watson, term expiring March 30, 1895?"

By direction of the presiding officer, the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Orr, Seawell, Seymour, Shine, Shippee, Whitehurst, and Withington—31.

NOES—None.

Whereupon the Chair announced the appointment of P. J. Harney, to the office of Port Warden for the port of San Francisco, duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1895. }

To the Senate of the State of California:

I return herewith, without my approval and with my objections thereto, Senate Bill No. 75, entitled "An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison."

The State owns and controls the State Prison at Folsom. The State also owns and controls other State institutions in various counties of the State, and if the State reimburses one county for money expended by that county in the prosecution of crimes committed in a State institution in that county, and for inquests held over the bodies of prisoners restrained by the State in such institutions, who have died therein, it should reimburse other counties for moneys expended by those counties in the prosecution of crimes committed in State institutions therein, and for inquests over the bodies of prisoners restrained by the State in such institutions who have died therein.

The State owns and controls insane asylums and reform schools in different counties of the State.

It is provided in section twenty-five of article four of the Constitution, that the Legislature shall not pass local or special laws in certain cases enumerated in that section, and in all other cases where a general law can be made applicable.

If the State should reimburse counties for money expended in the prosecution of crimes committed in State institutions in those counties, and for inquests over the bodies of persons restrained by the State in such institutions who have died therein, it should, in my opinion, be under the provisions of some general law.

It is, however, certain that if the bill herewith returned becomes a law, it will be a precedent for other counties to claim from the State reimbursement for any moneys expended by such counties under like circumstances; and in that way the expenses of the State government may be greatly increased, although such expenses are now so large that they are heavy burdens to the taxpayers of the State.

JAMES H. BUDD, Governor.

CONSIDERATION OF THE GOVERNOR'S VETO OF SENATE BILL No. 75.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Senator Martin—1.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Dunn, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Holloway, Linder, Mahoney, Orr, Seawell, Seymour, Shippee, Simpson, Smith, and Whitehurst—23.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 14, 1895. }

To the Senate of the State of California:

I return herewith, without my approval and with my objections thereto, Senate Bill No. 438, entitled "An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-seventh and forty-eighth fiscal years."

The provisions of the bill are in conflict with those of section twenty-two, of article four of the Constitution, which declares that "no money shall ever be * * * drawn from the State Treasury for the use and benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and

control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State; *provided*, that notwithstanding anything contained in this or any other section of the Constitution, the Legislature shall have the power to grant aid to institutions conducted for the support of minors, orphans, or half-orphans, or abandoned children, or aged persons in indigent circumstances, such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions."

JAMES H. BUDD, Governor.

CONSIDERATION OF THE GOVERNOR'S VETO OF SENATE BILL No. 438.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Senator Martin—1.

NOES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, Orr, Seawell, Seymour, Shippee, Simpson, Smith, and Withington—26.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED)—CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, and six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Read first time.

During the second reading of the bill, the following amendments were submitted:

Senator Ford moved to amend as follows:

By striking out of section four, line four, the word "October," and inserting the word "January"; also, strike out of same line the word "July," and insert the word "August"; also, strike out of line five, of said section four, the words "the following," and insert the word "any."

Lost.

Senator Burke moved to amend as follows:

By striking out of section twenty-four, line eleven, the words "drag net or paranzella."

Lost.

Senator Ford moved to amend as follows:

By adding to section twenty-six, at end of line twenty-seven, the following: "The Boards of Supervisors of the several counties in this State shall have the power to make regulations for the protection of game, and when such regulations are made the laws of the State for the protection of game are suspended in such county; *provided further*, that

the length of season during which any game may be taken or killed, as provided by the general laws of the State, shall not be extended or increased."

Lost.

Bill read second and third times.

The question being on the final passage of Assembly Bill No. 568.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Hart, Henderson, Holloway, Mathews, McAllister, McGowan, Orr, Seawell, Simpson, Smith, Whitehurst, and Withington—22.

NOES—Senators Gesford, Gleaves, and Shippee—3.

Title read and approved.

MOTIONS.

Senator Mathews moved that Assembly Bill No. 907 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

Senator Smith moved to take up for consideration Assembly Bill No. 592.

So ordered.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 592.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Holloway, Hoyt, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 332.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Burke, Denison, Earl, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mathews, Orr, Pedlar, Seawell, Seymour, Simpson, and Whitehurst—22.

NOES—None.

Title read and approved.

Assembly Bill No. 794—An Act to prohibit the wearing of hats or bonnets at theaters or any public place of amusement.

Passed on file.

MOTIONS.

Senator Earl moved that a committee of conference be appointed to meet a like committee, already appointed by the Assembly, to confer regarding Assembly Bill No. 470.

So ordered.

Senator Simpson moved that each Senator on the investigating committee be allowed to take up a bill at this time for consideration.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Aram:

Resolved, That Senate Bill No. 233 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 233 declared a case of urgency by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, Orr, Pedlar, Seawell, Shine, Shippee, Smith, Voorheis, Whitehurst, and Withington—29.

NOES—None.

At five o'clock and thirty minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 233.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Mahoney, McAllister, Orr, Pedlar, Shippee, Whitehurst, and Withington—22.

NOES—Senator Langford—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Orr:

Resolved, That the Senate consider no bills after one o'clock p. m. on Saturday, March 16th, and that a recess be taken from said hour to seven o'clock and thirty minutes p. m. of said day.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 851—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Also: Senate Bill No. 849—An Act to provide for a commission to investigate public offices, institutions, departments of the State government, municipalities, etc., and to appropriate money therefor.

Have had the same under consideration, and respectfully report Senate Bills Nos. 851 and 849 back without recommendation, and beg leave to further report that Senate Bill

No. 849 has not been earlier reported because the proponents thereof requested the committee to retain it until the Assembly had acted on an identical bill.

EARL, Chairman.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 575.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Linder, Mathews, McAllister, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds or income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 664.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Withington—27.

NOES—None.

Title read and approved.

MOTIONS.

On motion of Senator Seymour, the Secretary was ordered to strike from the general file all bills on the first reading file, second reading file, and third reading file.

Senator Gesford moved that Senate Bill No. 46 be taken from the table and be further considered.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Beard, Burke, Dunn, Earl, Flint, Franck, Gesford, Gleaves, Henderson, Hoyt, Linder, Mathews, Pedlar, Seawell, Simpson, Toner, Whitehurst, and Withington—20.

NOES—Senators Denison, Fay, McAllister, Orr, and Voorheis—5.

Senator McAllister moved that the further consideration of Senate Bill No. 46 be postponed, and made a special order for seven o'clock and thirty minutes P. M. this day.

So ordered.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The President pro tem. announced as the Committee of Conference on Assembly Bill No. 470, Senators Withington, Aram, and Arms.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: In connection with the tax levy for the forty-seventh and forty-eighth fiscal years, your Finance Committee deems a statement of facts necessary in order that the position in which this Legislature has been placed may be clearly understood. The question was presented whether the State should pay its debts or resort to delay and evasion equal to repudiation. The Finance Committee at the outset was confronted with a startling number of deficiencies, and in many instances large amounts had been authorized, as the law permits, by the unanimous consent of the Board of Examiners, and these deficiencies had to be allowed.

During the month of July, 1894, the Governor deemed it necessary, in order to preserve life and protect property, to call into active service several regiments of the National Guard of the State. To pay the troops for the service rendered, and to discharge the demands for supplies furnished during the campaign, claims to the amount of \$184,000 were referred to this Legislature. The demand on the treasury for this amount had to be met, although the expenditure was unexpected and in a sense extraordinary.

The system of public institutions in this State is so established that it must, in the nature of things, be expensive to maintain. The Legislature found many of the buildings unfinished, and allowed reasonable sums to complete certain improvements and provide for necessary repairs. The sums allowed are from forty to fifty per cent less than the amounts called for by the various boards of management. It was deemed best by the Finance Committee to recommend the allowance of money sufficient to keep the buildings in proper repair and to provide the equipment, which will effect a saving in the expenses of future management. The sums allowed will put the public institutions in good form throughout the State, and if a proper conduct of affairs at each institution is exacted, a large saving in the future will follow.

The Finance Committee presents herewith a schedule of the demands for deficiencies, improvements, and claims, which may have to be included in the general allowance for the forty-seventh fiscal year.

While these demands for which the Legislature is in no sense responsible are many, and in the aggregate involve the outlay of a large sum of money, the obligation to discharge them is not diminished. The Finance Committee believes it best to meet the situation squarely, pay off all demands of a just character, and begin with a clean score, instead of handing over the claims and deficiencies to the next Legislature.

In the line of permanent retrenchment, good work has been done, and the result should be a very low tax levy for the forty-eighth fiscal year. The repeal of the law providing State aid for aged persons in indigent circumstances will save in two years (according to the Controller's figures of last year) the sum of nine hundred and twenty-three thousand four hundred dollars. The repeal of the coyote bounty will effect a further saving of two hundred and seventy-five thousand dollars in two years. These two items constitute a reduction of one million one hundred and ninety-eight thousand four hundred dollars, and represent the best reform work of the session, from the Finance Committee's point of view. The reform is of a lasting character, and its influence will be manifest in the diminished tax levies of succeeding years.

Section four of the General Appropriation Bill gives the Board of Examiners a firmer grasp on public institutions than it ever had before, and the result should be a comprehensive system of disbursing the public moneys in this direction. Under this Act, not more than one twenty-fourth part of the amount appropriated for each department or institution for the two years ending June 30, 1897, shall be expended during any one month, unless by consent of the State Board of Examiners. The operation of this section will give to the State the advantage of a system which has been tested in San Francisco under the law known as the McOppin One-Twelfth Act. It provides a check on extravagance in public affairs, such a check as should be applied to State institutions.

DEFICIENCIES.

Senate Bill No. 366—Stockton Asylum, 44th and 45th fiscal years.....	\$15,013 09
Assembly Bill No. 707—Southern California Asylum for Insane, 45th and 46th fiscal years.....	67,743 65
Senate Bill No. 672—Southern California Hospital, refrigerator.....	1,486 41
Senate Bill No. 124—Mendocino Asylum, 45th and 46th fiscal years.....	45,000 00
Assembly Bill No. 825—Purchase of ballot paper, 46th fiscal year.....	1,553 22
Senate Bill No. 418—Arresting criminals, 43d and 44th fiscal years.....	1,348 45
Senate Bill No. 630—Transportation of insane, 46th fiscal year.....	4,278 86

Senate Bill No. 405—Transportation of children to Whittier, 43d fiscal year.....	\$161 10
Senate Bill No. 631—Transportation of children to Whittier, 44th fiscal year.....	538 78
Senate Bill No. 461—Salary Secretary State Board of Examiners, 44th fiscal year.....	163 30
Senate Bill No. 103—Los Angeles Normal School, 46th fiscal year.....	13,500 00
Senate Bill No. 212—Folsom Prison, 46th fiscal year.....	7,500 00
Senate Bill No. 237—Forestry stations, 45th and 46th fiscal years.....	1,545 00
Senate Bill No. 291—Senate Contingent Fund, thirtieth session.....	371 00
Senate Bill No. 428—Southern California Asylum, 46th fiscal year.....	25,000 00
Senate Bill No. 501—Rent, Bureau of Labor Commissioners.....	1,200 00
Senate Bill No. 550—Ventilating San José Normal School.....	400 00
Assembly Bill No. 676—Heating and ventilating San José Normal School.....	3,000 00
Senate Bill No. 647—Salary Secretary Debris Commissioner, 46th fiscal year.....	500 00
Senate Bill No. 648—Salary Debris Commissioner, 46th fiscal year.....	1,200 00
Senate Bill No. 660—State Agricultural Society, 46th fiscal year.....	1,000 00
Senate Bill No. 674—Additional buildings and improvements at Southern California Asylum.....	6,500 00
Senate Bill No. 725—Postage, expressage, etc., Attorney-General's office, 46th fiscal year.....	400 00
Senate Bill No. 792—Repairs to State Capitol, 46th fiscal year.....	2,000 00
Assembly Bill No. 450—State Printing Office, 46th fiscal year.....	50,000 00
Assembly Bill No. 245—State forestry stations, 46th fiscal year.....	831 22
Assembly Bill No. 635—Elevator attendants' salary, 46th fiscal year.....	300 00
Senate Bill No. 431—Postage and expressage, Secretary of State's office, 45th and 46th fiscal years.....	700 00
Senate Bill No. 190—Publishing constitutional amendments.....	48,912 00
Senate Bill—Publishing constitutional amendments in German, French, and Italian languages.....	8,000 00
Substitute for Senate Bill No. 44—Payment of troops of National Guard.....	142,235 50
Substitute for Senate Bill No. 44—Supplies for National Guard.....	42,655 35
Senate Bill No. 504—Coyote scalps.....	275,000 00
Assembly Bill No. 599—Funeral expenses of late Secretary of State, E. G. Waite.....	596 85
Deficiency in General Fund at close of 46th fiscal year, as per Controller's figures.....	80,000 00
Total deficiencies.....	\$850,633 70

IMPROVEMENTS AND REPAIRS TO PUBLIC BUILDINGS.

Assembly Bill No. 417—Repairs to State Capitol building.....	\$6,000 00
Senate Bill No. 129—Additional buildings, Mendocino Asylum.....	147,280 00
Assembly Bill No. 360—Hospital building and girls' cottages, etc., Whittier School.....	36,100 00
Assembly Bill No. 187—Additional buildings, Southern California Asylum.....	125,000 00
Assembly Bill No. 120—Hospital building, and repairs, etc., Deaf, Dumb, and Blind Asylum.....	35,000 00
Assembly Bill No. 480—Laundry, electric plant, etc., Home for Feeble-Minded Children.....	46,500 00
Assembly Bill No. 268—Additional building, Preston School.....	55,000 00
Assembly Bill No. 173—Improvements and repairs, Folsom Prison.....	20,000 00
Senate Bill No. 365—Repairs, Stockton Insane Asylum.....	15,000 00
Senate Bill No. 152—Cement floor, Chico Normal School.....	1,200 00
Senate Bill No. 449—Improvements, etc., Whittier School.....	63,150 00
Total.....	\$550,230 00

ESTIMATES.

Estimated cost of carrying on the Government for the forty-seventh and forty-eighth fiscal years:

Forty-seventh Fiscal Year.

General Fund, consisting of the following items:	
Appropriation bill.....	\$2,945,620 03
Deficiencies.....	850,633 70
Improvements and repairs to public buildings.....	550,230 00
	\$4,346,483 81
School Fund.....	2,195,459 00
Interest and Sinking Fund.....	141,135 00
Total.....	\$6,683,077 81

Forty-eighth Fiscal Year.

General Fund.....	\$2,793,620 03
School Fund.....	2,195,459 00
Interest and Sinking Fund.....	141,135 00
	\$5,130,214 03

In addition to the above amount for the forty-seventh fiscal year, there are enrolled and now before the Governor for his consideration, bills covering appropriations to the amount of five hundred and fifty-three thousand two hundred and forty-nine dollars and ninety-four cents. These bills and others which may pass, will doubtless increase the amount to be raised for the forty-seventh fiscal year.

VOORHEIS, Chairman.

RECESS.

At five o'clock and forty-five minutes p. m. the President pro tem. declared a recess until seven o'clock and thirty minutes p. m., on motion of Senator Orr.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

REPORT OF COMMITTEE OF FREE CONFERENCE.

SACRAMENTO, March 15, 1895.

To the Senate and Assembly of the State of California:

Your Committee of Free Conference on Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—beg leave to report that they have had the same under consideration, and recommend that the Senate recede from its amendment.

ARAM, Chairman,
SHIPPEE.

Senate Committee.
BETTMAN, Chairman,
LAUGENOUR,
Assembly Committee.

The roll was called, and the report of Committee of Free Conference adopted by the following vote:

AYES—Senators Aram, Arms, Flint, Ford, Franck, Gleaves, Hoyt, Langford, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—21.

NOES—None.

Senator Voorheis, in compliance with notice given yesterday, moved a reconsideration of the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Linder, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—27.

NOES—Senators Arms, Bert, Burke, Dunn, Hart, Langford, Mahoney, McGowan, Mitchell, Seymour, and Simpson—11.

MOTION.

Senator Voorheis moved that the further consideration of Assembly Constitutional Amendment No. 6 be postponed and made a special order for to-morrow, immediately after reading the Journal.

Lost.

The question then recurring on the adoption of Assembly Constitutional Amendment No. 6.

The roll was called, and Assembly Constitutional Amendment No. 6 refused adoption by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hoyt, Langford, Martin, Mathews, McAllister, Orr, Pedlar, Seawell, Shine, Shippee, Smith, Voorheis, and Withington—24.

NOES—Senators Arms, Bert, Burke, Dunn, Hart, Mahoney, McGowan, Mitchell, Seymour, Simpson, Toner, and Whitehurst—11.

LEAVE OF ABSENCE.

Senator Holloway was granted a leave of absence for the evening, on motion of Senator Mahoney.

MOTION.

Senator Fay moved to take up for consideration Assembly Bill No. 479.

So ordered.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 479—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California, relative to registration of voters.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 479.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Langford, Linder, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Whitehurst, and Withington—31.

Noes—None.

Title read and approved.

MOTION.

On motion of Senator Earl, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 18—Relative to granting the use of the cabin and orchard in the Yosemite Valley to J. M. Hutchings.

Also: Assembly Concurrent Resolution No. 19—Relative to the Yosemite Valley.

S. J. DUCKWORTH, Chief Clerk.

Senate Concurrent Resolution No. 18 ordered to enrollment.

Assembly Concurrent Resolution No. 19 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Senate Bill No. 721—An Act to amend section

seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Also: Passed Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

S. J. DUCKWORTH, Chief Clerk.

Senate Bill No. 275 ordered to enrollment.

Assembly amendments to Senate Bill No. 721:

Amend by striking out of section one, line four, the words "or personal" and "or in both real and personal property," and in section one, line six, "or personal" and "or both," and in line seven "bequest," and in line ten "bequest."

Also: Amend Senate Bill No. 721 by adding after the word "claim," in line five of section one of said bill, the following: "*provided, however,* that whenever in an action to quiet title to or to determine adverse claims to real or personal property, or both, the validity of any gift, bequest, devise, or trust under a will or instrument purporting to be a will, whether admitted to probate or not, shall be involved, such will, or instrument purporting to be a will, is admissible in evidence and all questions concerning the validity of any gift, bequest, devise, or trust therein contained, save such as under the Constitution belong exclusively to the probate jurisdiction, shall be finally determined in such action; *and provided, however,* that nothing herein contained shall be construed to deprive a party of the right to a jury trial in any case where, by the law, such right is now given."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 721?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Langford, Seawell, Seymour, Shine, Shippee, Toner, and Whitehurst—20.

NOES—Senators Androus, Burke, McAllister, Orr, Pedlar, and Withington—6.

Senate Bill No. 721 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: To Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

Also: Passed Assembly Bill No. 15—An Act to amend section six of an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, and to provide for Clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants."

Also: Passed Assembly Bill No. 639—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 15 and 669 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of March, concurred in Senate amendments to Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one,

three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Also: To Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Also: Senate Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

S. J. DUCKWORTH, Chief Clerk.

Senate Constitutional Amendment No. 25 ordered to enrollment.

Assembly Bill No. 1002 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the report of the Conference Committee on the Senate amendments to Assembly Bill No. 959.

Also: Concurred in Senate amendments to Assembly Bill No. 702, Committee Substitute for Assembly Bill No. 384.

S. J. DUCKWORTH, Chief Clerk.
By H. A. MASON, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1026—An Act to provide for the payment of all private claims, allowed by the Legislature of the thirty-first session, out of the revenues of the forty-seventh fiscal year.

Also: Assembly Bill No. 873—An Act to amend the Penal Code by adding a new section thereto, to be known as section two hundred and seventy-three, relating to the care of children.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 1026 and 873 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to pass Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Passed Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of California, relating to public schools.

Also: Senate Bill No. 116—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Also: Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 846, 116, and 448 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Also: Refused passage of Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Also: Passed Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Adopted Senate Constitutional Amendment No. 13—Proposed amendment to article eleven of the Constitution, relative to cities, counties, and towns.

Also: Passed Substitute for Senate Bill No. 391—An Act to amend sections two hundred and thirty-seven, two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 805, 147, and 391, and Senate Constitutional Amendment No. 13 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 221—An Act to appropriate money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Also: Refused to pass Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Clerks, Sheriffs, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Also: Amended, and passed as amended, Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Also: Refused passage of Senate Bill No. 289—An Act providing for the improvement of streets and roads, and the construction of sidewalks, outside of the limits of incorporated cities and towns.

Also: Passed Assembly Bill No. 391—An Act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

S. J. DUCKWORTH, Chief Clerk.

Assembly amendments to Senate Bill No. 349:

Amend section one, line three, by inserting before the word "bonds" the words "the principal of."

Also: Amend by striking out of section one, lines three and four, the words "warrants or otherwise."

Also: Amend by striking out of section one, line five, the words "fund or."

Also: Amend section one, line fifteen, by inserting after the word "shall" the following: "not be disposed of in any manner, except in exchange for outstanding bonds for the re-funding of which they are authorized to be issued; *provided*, that if any holder of any such outstanding bonds refuses to exchange any bonds held by him for such re-funding bonds, but will deposit such outstanding bonds held by him with any responsible depository, subject to redemption in money, a sufficient number of such re-funding bonds may."

Also: Amend section one, line eighteen, by inserting the prefix "re" before the word "funding," so that it will create the word "re-funding."

Also: Amend by striking out of section one, line nineteen, the words "indebtedness for," and inserting the following, "outstanding bonds for the re-funding of."

Also: Amend by striking out of section one, line twenty-two, the word "such," and inserting the following: "the."

Also: Amend section one, line twenty-two, by inserting, immediately after the word "bonds," the following: "issued under the terms of the provisions under which such re-funding bonds are authorized to be issued."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 349?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Senators Aram, Androus, Bert, Burke, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, McAllister, Orr, Pedlar, Seymour, Shippee, Simpson, Whitehurst, and Withington—22.

NOES—None.

Senate Bill No. 349 ordered to enrollment.

Assembly Bill No. 391 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Senate Concurrent Resolution No. 9—Relative to the employment of convicts in State Prisons.

Also: Passed Assembly Bill No. 910—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the

Act amendatory thereof, approved February 8, 1889, and to establish and maintain public employment offices.

Also: Passed Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend an Act entitled 'An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in said Home,' approved March 16, 1889."

S. J. DUCKWORTH, Chief Clerk.

Senate Concurrent Resolution No. 9 and Senate Bill No. 893 ordered to enrollment.

Assembly Bill No. 910 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, received from the Governor Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same, and making an appropriation therefor, not to exceed five thousand dollars—for the purpose of amending the title thereto, and the Assembly having amended the same, and passed the said bill, now requests your honorable body to concur in said action.

S. J. DUCKWORTH, Chief Clerk.

Senator Orr moved that the Senate concur in the Assembly amendment to Assembly Bill No. 665, as follows:

Amend title by adding thereto the following: "and making an appropriation therefor, not to exceed five thousand dollars."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Assembly Bill No. 665?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Langford, Martin, McAllister, Mitchell, Orr, Seawell, Shine, Shippee, Smith, and Withington—26.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed Messrs. Spencer, Ewing, and Barker as a Committee of Conference on Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors—and respectfully ask your honorable body to appoint a like committee.

S. J. DUCKWORTH, Chief Clerk.

At eight o'clock and thirty minutes p. m., Hon. Tiley L. Ford, Senator from the Third District, was called to the chair.

MOTION.

On motion of Senator Withington, Assembly Bill No. 897 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 897—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities

incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 897.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Toner, Whitehurst, and Withington—29.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At eight o'clock and twenty-five minutes P. M., on motion of Senator Simpson, a leave of absence for the evening was granted Senators Aram, Smith, Seawell, Whitehurst, and Simpson, to attend to committee work.

MOTION.

On motion of Senator Hoyt, Assembly Bill No. 861 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 861.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, Mahoney, McAllister, McGowan, Mitchell, Seymour, Shine, and Whitehurst—24.

NOES—Senator Orr—1.

Title read and approved.

MOTION.

On motion of Senator Bert, Senate Bill No. 629 was taken up for consideration.

RESOLUTION.

By Senator Bert:

Resolved, That Senate Bill No. 629 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 629 declared a case of urgency by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, and Shippee—27.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Read second time, considered engrossed, and read third time.

The question being on the passage of Senate Bill No. 629.

The roll was called, and the bill passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seymour, Shippee, Voorheis, and Whitehurst—26.

NOES—None.

Title read and approved.

At eight o'clock and forty-five minutes P. M., President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

RESOLUTION.

By Senator Seymour:

Resolved, That Assembly Bill No. 1026 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 1026 declared a case of urgency by the following vote:

AYES—Senators Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, McAllister, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Voorheis, Whitehurst, and Withington—27.

NOES—None.

MOTION.

On motion of Senator McAllister, the Senate proceeded to consider Assembly Bills on the special file.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 218—An Act authorizing the Controller to re-furnish his office, and making an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 218.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Dunn, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Hoyt, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Toner, Voorheis, and Whitehurst—25.

NOES—None.

Title read and approved.

Assembly Bill No. 418—An Act to appropriate five thousand dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 418.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Seymour, Shine, Shippee, Toner, Voorheis, and Withington—26.

NOES—None.

Title read and approved.

Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 606.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Burke, Denison, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Mathews, Mitchell, Orr, Pedlar, Seymour, Shippee, Toner, Voorheis, and Withington—21.

NOES—Senators Beard, Earl, Fay, and McAllister—4.

Title read and approved.

Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 262.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Denison, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McGowan, Mitchell, Seymour, Shine, and Toner—22.

NOES—Senators Burke, Gesford, Langford, Mathews, McAllister, Pedlar, and Withington—7.

Title read and approved.

Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Read first time.

During the second reading, the following amendment was submitted by Senator Ford:

Amend by adding to section one, after line four, the words "and all institutions that receive financial aid from the Treasury of this State."

Lost.

Bill read second and third times.

At nine o'clock and thirty minutes P. M., Hon. Orestes Orr, Senator from the Thirty-fifth District, in the chair.

The question being on the final passage of Assembly Bill No. 412.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Hoyt moved a call of the Senate.

The roll was called, and the motion lost by the following vote:

AYES—Senators Beard, Burke, Denison, Earl, Fay, Gesford, Hoyt, Langford, Mathews, Orr, Pedlar, Voorheis, and Withington—12.

NOES—Senators Arms, Androus, Flint, Ford, Franck, Hart, Mahoney, Martin, McAllister, McGowan, Mitchell, Seymour, Shine, Shippee, and Toner—15.

The presiding officer then announced the vote, and declared that the Senate refused passage to Assembly Bill No. 412, by the following vote:

AYES—Senators Arms, Beard, Burke, Earl, Fay, Gesford, Gleaves, Henderson, Hoyt, Langford, Martin, Mathews, McAllister, Orr, Pedlar, Voorheis, and Withington—17.

NOES—Senators Androus, Denison, Flint, Franck, Hart, Linder, Mahoney, McGowan, Mitchell, Seymour, Shine, Shippee, and Toner—13.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Read first, second, and third times, and on motion temporarily passed on file.

Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Passed on file.

Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 540.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Androus, Beard, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, McGowan, Orr, Seymour, Shine, and Toner—22.

NOES—Senators Burke, Gleaves, McAllister, and Pedlar—4.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 4.

Joint resolution relative to foreign immigration to the United States.

WHEREAS, The experience of the past has shown that our laws are not sufficient to restrain the nations of Europe from making of America a dumping-ground for the pauper and criminal classes of foreign lands; and whereas, there can be no effectual protection of American labor by any form of protective tariff until in connection with it Congress shall pass laws designed to stop the coming of undesirable foreigners into the United States; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and request our Representatives in Congress from this State to advocate such measures of national legislation as will effectually put a stop to undesirable immi-

gration, even to the extent, if found necessary, of the absolute prohibition of such immigration; and be it

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of these resolutions.

Assembly Joint Resolution No. 4 read.

Senator Withington moved to amend the resolution as follows:

By striking out on line four the word "even," and all of line four, except the words "and be it."

PREVIOUS QUESTION.

Senator Earl moved the previous question.

The question being, "Shall the main question be now put?"

It was so ordered.

The question being on the adoption of the amendment offered by Senator Withington.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Burke, Gesford, Gleaves, Langford, Mahoney, Martin, Shine, and Withington—8.

NOES—Senators Androus, Denison, Earl, Flint, Ford, Franck, Hoyt, McAllister, McGowan, Mitchell, Seymour, Shippee, and Voorheis—13.

The roll was called, and Assembly Joint Resolution No. 4 refused adoption by the following vote:

AYES—Senators Denison, Earl, Ford, Gleaves, Henderson, Langford, Mathews, McGowan, Orr, Pedlar, Seymour, and Voorheis—12.

NOES—Senators Androus, Beard, Burke, Gesford, Martin, McAllister, Mitchell, Shine, Shippee, Toner, and Withington—11.

MOTION.

Senator Hart moved that Assembly Bill No. 711 be recalled from the Assembly and placed on Senate file.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Read third time.

The question being on the final passage of Assembly Bill No. 176.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Burke, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Hoyt, Langford, Linder, McAllister, Orr, Pedlar, Seymour, Shine, Shippee, Toner, and Withington—21.

NOES—Senators Arms and Denison—2.

Title read and approved.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 1021—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to the engrossment and enrollment of bills and other documents, approved March 31, 1891.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 1021.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Beard, Burke, Denison, Earl, Fay, Flint, Franck, Gesford, Hart, Henderson, Hoyt, Langford, Linder, McAllister, Mitchell, Orr, Seymour, Shine, Shippee, Toner, Voorheis, and Withington—22.

NOES—None.

Title read and approved.

Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 280.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Burke, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Linder, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shippee, Toner, Voorheis, and Withington—23.

NOES—None.

Title read and approved.

At ten o'clock and fifteen minutes p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Senator Seymour called up for consideration Assembly Bill No. 1026.

Assembly Bill No. 1026—An Act to provide for the payment of all private claims, allowed by the Legislature of the thirty-first session, out of the revenues of the forty-seventh fiscal year.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 1026.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Burke, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, McAllister, Mitchell, Orr, Seymour, Shippee, Toner, and Voorheis—21.

NOES—Senators Flint, Martin, and Shine—3.

Title read and approved.

Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 772.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Burke, Denison, Earl, Fay, Flint, Franck, Gesford, Gleaves, Henderson, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Orr, Pedlar, Seymour, Shippee, Voorheis, and Withington—24.

NOES—None.

Title read and approved.

At ten o'clock and thirty-five minutes p. m. Senator Orr moved to adjourn.

Lost.

At ten o'clock and thirty-five minutes p. m. Senator Orr was again called to the chair.

MOTION.

On motion of Senator Mathews, Senate Joint Resolution No. 15 was taken up and read, as follows:

SENATE JOINT RESOLUTION No. 15.

Joint resolution relating to appointing delegates to the dedication of the Chickamauga and Chattanooga National Military Park.

WHEREAS, Under an Act of Congress, approved December 15, 1894, it is provided that the dedication of the Chickamauga and Chattanooga Military Park shall take place at Chickamauga, Georgia, and Chattanooga, Tennessee, on the nineteenth and twentieth of September ensuing; and whereas, the honorable Secretary of War, in pursuance of the provisions of said Act, has invited the Governor of California to be present, with his staff, on the occasion, soliciting also "such further representation from your State as the Legislature thereof may see fit to authorize"; therefore, be it

Resolved by the Senate, the Assembly concurring, That the Governor be and he is hereby requested and empowered to appoint from the citizenship of the State such number of representatives as, in his judgment, may be appropriate, to assist himself and his staff as the official delegates from California at the celebration mentioned.

The roll was called, and Senate Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Androus, Beard, Burke, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Toner, Voorheis, and Withington—28.

NOES—None.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 591—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry at Ione.

Passed on file.

At ten o'clock and forty-five minutes P. M. Senator Voorheis moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Senators Denison, Flint, Gesford, McGowan, Orr, Shippee, and Voorheis—7.

NOES—Senators Androus, Beard, Burke, Earl, Fay, Ford, Franck, Gleaves, Hart, Henderson, Linder, Mahoney, Mathews, McAllister, Mitchell, Pedlar, Seymour, and Shine—18.

MOTION.

Senator Fay moved that Assembly Bill No. 580 be referred to the San Francisco Delegation.

Lost.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 580.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Ford and Pedlar—2.

NOES—Senators Arms, Androus, Denison, Earl, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Mahoney, Mathews, McAllister, Mitchell, Seymour, Shippee, Toner, and Withington—20.

At eleven o'clock p. m. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California. for expenses incurred and services rendered by order of the State Board of Forestry.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 875.

The roll was called, with the following result:

AYES—Senators Androus, Denison, Fay, Ford, Martin, Pedlar, Seymour, Shine, and Shippee—9.

NOES—Senators Burke, Flint, Gleaves, Hoyt, McAllister, McGowan, Voorheis, and Withington—8.

ADJOURNMENT.

Whereupon, it appearing that there was no quorum present and voting, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Saturday, March 16, 1895. }

The Senate met pursuant to adjournment, at ten o'clock a. m.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. A. Ottmann.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, the further reading was dispensed with, on motion of Senator Gleaves.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 842—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties having one hundred thousand or more inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ORR, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your Committee on Finance, at the close of the session, herewith return the following bills:

Committee Substitute for Senate Bill No. 285—An Act to provide for certain additions at Folsom State Prison, and for transfer of prisoners from San Quentin.

Also: Senate Bill No. 832—An Act appropriating twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

VOORHEIS, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 258—An Act to add to part two, division second, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining laws, and forming mining districts.

Also: Senate Bill No. 549—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever.

Also: Assembly Bill No. 90—An Act for the protection of miners, and repealing all Acts in conflict therewith.

Also: Senate Bill No. 547—An Act to amend sections three hundred and seven and three hundred and twelve of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof.

Also: Senate Bill No. 548—An Act to amend sections three hundred and thirty-two and three hundred and forty-two of the Civil Code, relative to assessments and the sale of the stock of corporations.

Also: Senate Bill No. 269—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880, and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California.

Beg leave to report the same back without recommendation.

FORD, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Elections, to whom were referred Senate Bills Nos. 813, 483, 350, 859, 791, 28, 731, 740, 776, 259, 92, 85, 86, 456, and Assembly Joint Resolution No. 5, and Senate petition relative to appointing a special committee on election frauds—have had the same under consideration, and respectfully report the same back, and return the same to the Secretary of the Senate.

ARAM, Chairman.

RESOLUTION.

By Senator Bert:

Resolved, That the resolution appointing E. J. Niles Chief Bill Clerk of the Senate be amended so as to read as follows:

"*Resolved*, That E. J. Niles be and he is hereby appointed Assistant Journal Clerk of the Senate, with duties as Chief Bill Clerk, at the same per diem as the Journal Clerk, to take effect January 14, 1895, the same to be paid out of the Contingent Fund of the Senate; and the Controller is hereby authorized to draw his warrant for the same, and the Treasurer is directed to pay the same."

MOTION.

Senator Bert moved the adoption of the resolution without reference to committee.

Carried.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Pedlar, Seymour, Shine, Shippee, Whitehurst, and Withington—25.
NOES—None.

RESOLUTION.

By Senator Martin:

Resolved, That Assembly Bill No. 930 (one hundred and eight on file) be taken up and considered.

Adopted.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 930.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Seymour, Shine, Voorheis, and Whitehurst—27.
NOES—Senators Gesford, Holloway, Langford, Pedlar, and Withington—5.

Title read and approved.

MOTION.

On motion of Senator Smith, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Also: Assembly Bill No. 985—An Act to authorize counties having a population of not less than one hundred thousand nor more than two hundred thousand inhabitants, to build railroads, and to lease or operate the same.

Also: Assembly Bill No. 994—An Act to compel street railroad companies to return fare, or its equivalent, to passengers where travel on their cars has been stopped for a period of ten minutes or more, from any cause whatever.

Also: Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Also: Adopted Senate Joint Resolution No. 17—Relative to expending moneys now available for the improvement of our navigable rivers, by the National Government.

Also: Passed Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 332, 699, and 653, and Senate Joint Resolution No. 17 ordered to enrollment.

Assembly Bills Nos. 985, 994, and 473 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following: Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Also: Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Also: Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Also: Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 763, 587, 596, 328, 329, 330, and 280 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following: Substitute for Senate Bill No. 2—An Act to appropriate one thousand one hundred dollars to pay the claims of D. H. Wyckoff and others for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

Also: Amended, and passed as amended, Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Also: Refused to pass Senate Bill No. 799—An Act to prevent and forbid all persons who own, operate, or carry on street railroads to require deposits from employes.

Also: Passed Senate Bill No. 460—An Act to add a new title to part six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Also: Refused to pass Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Also: Passed Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Also: Passed Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof, for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Also: Passed Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

S. J. DUCKWORTH, Chief Clerk.

Substitute for Senate Bill No. 2 ordered to enrollment.

The following Assembly amendment to Senate Bill No. 782 was read:

Strike out of the enacting clause the word "the" between the words "in" and "Senate."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 782?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Martin, Mathews, McAllister, McGowan,

Mitchell, Orr, Pedlar, Seymour, Shippee, Simpson, Smith, Voorheis, Whitehurst, and Withington—30.
NOMES—None.

Senate Bills Nos. 460, 752, 521, and 707 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following: Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also for the eradication of certain weeds within city limits," approved March 11, 1893.

Also: Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Also: Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Also: Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1892; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Also: Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Also: Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 223, 560, 806, 247, 739, and 127 ordered to enrollment.

At ten o'clock and thirty minutes A. M. Hon. Orestes Orr, Senator from the Thirty-fifth District, was called to the chair.

MOTION.

On motion of Senator Biggy, Senate Bill No. 781 was taken up for consideration.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Read first time.

During the second reading, the following committee amendment was submitted:

Amend section one, line seventeen, printed bill, by striking out all after the word "benefit," to and including line twenty-one.

Adopted.

Senate Bill No. 781 read second time, considered engrossed, ordered printed as amended, and on file for third reading.

THIRD READING OF BILL.

Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Read third time.

The question being on the passage of Senate Bill No. 781.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Mathews, McAllister, McIlwain, Mitchell, Orr, Pedlar, Seawell, Seymour, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—34.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Voorheis, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that Assembly Bill No. 959—An Act to establish a uniform system of county and township governments—has been correctly printed with the amendments as reported by the Committee of Free Conference, and the Assembly on this day finally passed the same.

S. J. DUCKWORTH, Chief Clerk.

The roll was called, and the report of the Committee of Free Conference adopted, and the amendments concurred in by the following vote:

AYES—Senators Aram, Androus, Beard, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Langford, Linder, Mathews, Mitchell, Orr, Pedlar, Seawell, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—25.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused second reading of Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Also: Refused second reading of Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Also: Passed Assembly Bill No. 324—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same.

Also: Passed Assembly Bill No. 901—An Act to amend an Act entitled "An Act to promote the purity of elections, by regulating the conduct thereof, and to support the privilege of free suffrage by providing for the punishment thereof."

Also: Return herewith by your request Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: By your request, the following named gentlemen, Messrs. Thomas, Collins, and Bachman, were appointed as a Committee of Conference to consider Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: On March eleventh, passed Assembly Bill No. 308—An Act to amend section two thousand five hundred and twenty-one of the Political Code, relating to the State

Board of Harbor Commissioners, and to abolish the office of attorney of the State Board of Harbor Commissioners.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bills Nos. 324, 901, and 308 ordered on file.

Assembly Bill No. 711 ordered replaced on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of March, refused to pass Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

S. J. DUCKWORTH, Chief Clerk.

On motion of Senator Voorheis, Assembly Bill No. 1025 was referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully ask that your honorable body return to the Assembly Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

S. J. DUCKWORTH, Chief Clerk.

MOTIONS.

On motion of Senator Hart, Senate Bill No. 70 was transmitted to the Assembly.

On motion of Senator Whitehurst, Assembly Bill No. 607 was taken up for consideration.

THIRD READING OF BILL.

Assembly Bill No. 607—An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California.

Read third time.

The question being on the final passage of Assembly Bill No. 607.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Seymour, Shine, Shippee, Simpson, Smith, Voorheis, and Whitehurst—30.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

The Finance Committee was granted a temporary leave of absence.

RESOLUTION.

By Senator Smith:

Resolved, That Assembly Bill No. 473 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator McGowan moved a call of the Senate.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Earl, Fay, Ford, Gesford, Gleaves, Henderson, Hoyt, Linder, McAllister, McGowan, Mitchell, Pedlar, Seymour, Shine, Smith, Toner, and Withington—23.

NOES—Senators Burke, Flint, Franck, Hart, Holloway, Mahoney, Martin, Seawell, Shippee, and Whitehurst—10.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Whitehurst, and Withington.

There being no Senators absent without leave, Senator Bert moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The presiding officer then announced the vote, and declared that the Senate refused adoption of the resolution declaring Assembly Bill No. 473 a case of urgency, by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Dunn, Earl, Fay, Ford, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, McAllister, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, Toner, and Withington—26.

NOES—Senators Bert, Burke, Flint, Franck, Holloway, Langford, Mahoney, Martin, Mathews, Orr, Seawell, Shippee, Voorheis, and Whitehurst—14.

PASSAGE OF BILL.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Ford, Gesford, Gleaves, Hart, Henderson, Hoyt, Mahoney, Martin, Seymour, Shine, Shippee, Toner, and Withington—23.

NOES—Senators Fay, Flint, Holloway, Mathews, McAllister, McGowan, Orr, Pedlar, Simpson, Smith, and Whitehurst—10.

Title read and approved.

EXPLANATIONS.

Senator Mathews gave the following explanation of his vote, and asked that it be printed in the Journal:

I vote "no" on Assembly Bill No. 736 for the following reasons: It is a recognition of a private business or profession, and the granting of a right to pension the members thereof is not in accord with the functions of government, as I understand the same. The people of the State are opposed to any law that would recognize the principles in this bill; and in my opinion, while the form that this bill has taken is not in itself objectionable, it would lead to abuses hereafter, and would be extended at once to encroach upon the inherent rights of the people. It is easy to start a matter of this kind; it is difficult to arrest it after it is once in operation. All measures of this kind are commenced in an inoffensive way, and after they are once engrafted upon the law, they become a means of abuse. The State now educates the teachers, and equips them for the business of teaching. As a class they command good salaries; and I don't believe that they are entitled, as a matter of right or justice, to have the people taxed to maintain them as to fit themselves for the business, and afterwards to take care of them when they become unfit for the business.

Senator McAllister voted "no" for the same reasons given by Senator Mathews.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 907.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Hoyt, Martin, Mathews, McAllister, Orr, Pedlar, Seymour, Shippee, Simpson, Toner, and Withington—24.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Flint, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed Messrs. Phelps, Llewellyn, and Coghlin a Committee of Free Conference, on the part of the Assembly, to consider Assembly Bill No. 470—known as the Woman Suffrage Bill—and requests your honorable body to appoint a like committee.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to the granting of franchises," approved March 23, 1893.

Also: Refused to pass Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act making an appropriation to pay the claims of the California Demokrat, Le Franco Californien, La Voce del Popolo, and the Italian Publishing Company.

Also: Adopted Assembly Constitutional Amendment No. 55—A resolution proposing to the people of the State of California an amendment to section ten of article thirteen of the Constitution of the State of California, relating to taxation of railroads, telephone and telegraph companies.

Also: Passed Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Also: Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Also: Substitute for Senate Bill No. 539—An Act appropriating seven thousand five hundred dollars to pay the claim of Addie McGinnes.

Also: Assembly Bill No. 864—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments.

Also: Concurred in Senate amendments to Assembly Bill No. 607—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

S. J. DUCKWORTH, Chief Clerk.

Assembly Bill No. 864 and Assembly Constitutional Amendment No. 55 ordered on file.

Senate Bills No. 888, 798, and Substitute for Senate Bill No. 539 ordered to enrollment.

At eleven o'clock and fifty minutes A. M., Hon. Thomas Flint, Jr., President pro tem., resumed the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Also: Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the State Board of Viticultural Commissioners.

Also: Substitute for Senate Bill No. 449—An Act to appropriate sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, in making improvements and repairs thereto.

Also: Senate Bill No. 891—An Act to appropriate two hundred thousand dollars for the support of the Whittier School for the forty-seventh and forty-eighth fiscal years.

Also: Senate Concurrent Resolution No. 11—Relative to printing amendments to the Constitution and Codes.

Also: Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Also: Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Also: Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children, to establish an electric light plant therein, to provide accommodation for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," and to be known, respectively, as section four and one half and section thirteen and one half.

Also: Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Also: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Also: Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses, on Sundays and legal holidays.

Also: Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Also: Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Also: Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Also: Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Also: Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Also: Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

MOTION.

On motion of Senator McGowan, Assembly Bill No. 413 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 413—An Act to amend section three of "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876, and an Act amendatory thereof, approved March 31, 1891.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 413.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Fay, Flint, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Martin, McAllister, McGowan, Mitchell, Seymour, Shippee, Simpson, Smith, Toner, and Withington—25.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Androus, Senate Bill No. 511 was taken up for consideration.

THIRD READING OF BILL.

Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The question being on the passage of Senate Bill No. 511.

The roll was called, and the bill passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Fay, Flint, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Seymour, and Withington—23.

NOES—None.

Title read and approved.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The President pro tem. announced as the Committee of Free Conference on Assembly Bill No. 470, Senators Orr, Shippee, and McAllister.

MOTION.

At eleven o'clock and fifty-nine minutes A. M. Senator Orr moved that the hour of recess be extended until one o'clock P. M.
So ordered.

REPORTS OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That L. H. Pedlar be and is hereby allowed the sum of twenty-four dollars (\$24) for three days' services from January 7 to January 9, 1895, to be paid out of the contingent expenses of the Senate; and the Controller is hereby directed to draw his warrant for said amount, and the Treasurer is directed to pay the same.

Also: Resolved, That J. McAuliffe be and he is hereby allowed the sum of forty-five dollars for nine days' services as Assistant File Clerk to the Senate, from January seventh to January sixteenth, payable out of the fund for contingent expenses of the Senate; and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is ordered to pay the same.

Also: Resolved, That A. S. Baker be and he is hereby employed one week after the adjournment of the thirty-first session of the Legislature, to conclude the business of the Sergeant-at-Arms' office; to receive the per diem he now receives for his services as Assistant Bill Clerk, payable out of the fund for the contingent expenses of the Senate; and the Controller is hereby directed to draw his warrant for the same.

Also: Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of L. F. Blackburn, Sergeant-at-Arms of the Senate, for the sum of seven dollars and thirty-five cents, per vouchers hereto attached, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

SACRAMENTO, March 16, 1895.

State of California to C. FLOHR, Dr.:

January 8—To fitting thirteen keys to drawers (desk), at 25 cents	\$3 25
January 9—To repairing main door lock and two new keys.....	2 00
Total	\$5 25

SACRAMENTO, March, 1895.

State of California to C. H. RAVE, Dr.:

March 8—To picking and repairing lock, Senate Chamber	\$0 75
March 8—To one key, Senate Chamber	35
March 8—To repairing two locks, Sergeant-at-Arms' office.....	1 00
Total	\$2 10

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

HART, Chairman.

The roll was called, and the above report of the Committee on Attachés, Contingent Expenses, and Mileage, and the accompanying resolutions, adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Mahoney, Martin, Mitchell, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst—24.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Superintendent of State Printing be and he is hereby directed to have prepared and printed, immediately after the adjournment of the thirty-first session of the Legislature *sine die*, an index to all bills, joint and concurrent resolutions, and constitutional amendments introduced in the Senate during the present session. The index to be alphabetically arranged by authors and topics, on a plan similar to the one

followed in the "index to bills introduced during the twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth sessions," and to be printed on paper similar in size and quality to that for printing Senate bills. Four hundred and eighty copies of said index shall be printed, and one copy shall be mailed to each member of the Senate and Assembly. The sum of one hundred and twenty-five dollars is hereby directed to be paid to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Senate, for the compilation of and postage on the aforesaid index and the Controller of State is hereby directed to draw his warrant for said sum, payable to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HART, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Martin, Mitchell, Seymour, Simpson, and Toner—21.

NOES—Senator Burke—1.

MOTION.

On motion of Senator Seymour, Assembly Bill No. 701 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 701—An Act to amend section sixteen of an Act entitled "An Act to provide for the erection and management of a State hospital for the insane, to be located in Southern California," approved March 11, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 701.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Martin, Mitchell, Pedlar, Seymour, Shippee, Simpson, Toner, and Whitehurst—25.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Ford, Assembly Bill No. 529 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 529.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Androus, Beard, Bert, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Hoyt, Mahoney, Martin, McAllister, McGowan, Mitchell, Seymour, Shine, Toner, Whitehurst, and Withington—22.

NOES—Senators Aram, Burke, and Holloway—3.

Title read and approved.

RESOLUTION.

By Senator Ford:

Resolved, That R. A. May be and he hereby is allowed one week's compensation, at the same per diem as is now paid him, in order to enable him to complete his work as Bill Filer. The Controller directed to draw a warrant in his favor, and the State Treasurer directed to pay the same. The same to be paid out of the Contingent Fund of the Senate.

On motion of Senator Ford, the roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mitchell, Seymour, Shine, Shippee, Simpson, Whitehurst, and Withington—26.

NOES—None.

MOTION.

On motion of Senator Gesford, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Also: Amended, and passed as amended, Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Also: Passed Senate Bill No. 106—An Act authorizing and requiring boards and commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

S. J. DUCKWORTH, Chief Clerk.

MOTION.

Senator Gesford moved that the Senate concur in the following Assembly amendment to Senate Bill No. 862:

Amend by striking out all of section three, and inserting the following: "Bonds issued and sold subsequent to the approval hereof, pursuant to an election held under the provisions of the Act hereby amended prior to the approval of this Act, shall be valid and binding in the same manner and to the same extent as if said Act hereby amended had originally been enacted as hereby amended. This Act shall not invalidate or in any way affect any bonds issued and sold prior to the approval hereof."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 862?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, McAllister, Mitchell, Seymour, Shippee, Simpson, Whitehurst, and Withington—26.

NOES—None.

Senate Bills Nos. 781, 70, 106, and 862 ordered to enrollment.

At twelve o'clock and thirty minutes p. m. Hon. Tiley L. Ford, Senator from the Third District, was called to the chair.

MOTION.

Senator Simpson moved to take up for consideration Assembly Bill No. 880.

So ordered.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 880.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Seawell, Seymour, Shine, Simpson, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of coöperative associations.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 249.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Denison, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, McGowan, Mitchell, Orr, Seawell, Seymour, Shippee, Smith, and Whitehurst—23.

NOES—None.

Title read and approved.

Assembly Bill No. 512—An Act to provide for payment of the claim of Jas. A. Kearney.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 512.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Biggy, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Martin, McAllister, Mitchell, Orr, Seawell, Shine, Shippee, Simpson, Smith, Whitehurst, and Withington—25.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE OF FREE CONFERENCE.

MR. PRESIDENT: Your Committee of Free Conference, consisting of Senators Orr, Shippee, and McAllister, have met a like committee appointed from the Assembly, consisting of Messrs. Phelps, Llewellyn, and Coghlin, for the consideration of Assembly Bill No. 470, and report back that they are unable to agree.

All of which is respectfully submitted.

ORR.
McALLISTER.
SHIPPEE.
PHELPS.
COGHLIN.

MOTION.

On motion of Senator Henderson, Assembly Bill No. 954 was taken up for consideration.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 954.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Bert, Biggy, Denison, Dunn, Flint, Ford, Franck, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McAllister, Mitchell, Seymour, Shine, Shippee, Toner, and Whitehurst—23.

NOES—Senators Beard, Burke, Fay, Gleaves, Orr, and Simpson—6.

Title read and approved.

Assembly Bill No. 903—An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 903.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Burke, Denison, Dunn, Fay, Franck, Gesford, Gleaves, Henderson, Holloway, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, and Whitehurst—26.

NOES—None.

Title read and approved.

Assembly Bill No. 391—An Act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 391.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Beard, Bert, Denison, Earl, Fay, Flint, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, McAllister, McGowan, Mitchell, Pedlar, Seymour, Shine, Simpson, Smith, Toner, and Whitehurst—25.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Hoyt:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for sixty-four dollars, in favor of Hugh M. Burke, for services rendered the Committee on Finance from January seventh to January fourteenth inclusive, to be paid out of the Contingent Fund of the Senate.

Senator Hoyt moved the adoption of the resolution without reference to committee.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Beard, Biggy, Denison, Dunn, Earl, Flint, Ford, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Linder, McAllister, McGowan, Mitchell, Shine, Simpson, Smith, and Toner—21.

NOES—None.

MOTION.

On motion of Senator Withington, Assembly Bill No. 58 was taken up for consideration.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 58.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Arms, Beard, Biggy, Denison, Flint, Ford, Gleaves, Hart, Linder, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—21.

NOES—Senators Aram, Burke, Earl, Franck, Holloway, Mahoney, and McAllister—7.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 1025 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 1025 declared a case of urgency by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Langford, Mahoney, Martin, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, and Whitehurst—34.

NOES—None.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Read first time.

During the second reading, the following committee amendments were submitted:

Amend section one, line eight, by striking out "five million one hundred and sixty-three thousand one hundred and six dollars," and inserting "four million nine hundred and thirteen thousand and one hundred and six dollars."

Adopted.

Also: Amend section one, line fifteen, by striking out "two million eight hundred and three thousand eight hundred and seventy dollars and three cents," and inserting "two million six hundred and eighty-one thousand and three hundred and seventy-one dollars."

Adopted.

Bill read second time, ordered printed as amended, and on file for third reading.

THIRD READING OF BILL.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Read third time.

The question being on the final passage of Assembly Bill No. 1025.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aam, Androus, Beard, Bert, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Martin, McAllister, Mitchell, Orr, Pedlar, Seawell, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington 32.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Orr, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to pass Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Also: Amended, and passed as amended, Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Also: Passed Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Also: Passed Senate Bill No. 424—An Act to determine the term of office, and the bond to be required, of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Also: Refused to pass Senate Bill No. 853—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Refused third reading of Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Also: Refused to pass Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

S. J. DUCKWORTH, Chief Clerk.

Senator Earl moved that the Senate concur in the following Assembly amendment to Senate Bill No. 843 :

Amend section one, line five, of printed bill, by striking out after the word "to," the words "a distance one third of one mile above," and inserting in lieu thereof the words "the southerly line of."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 843?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Senators Aram, Androus, Beard, Burke, Denison, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Holloway, Hoyt, Mahoney, McAllister, Mitchell, Pedlar, Seawell, Seymour, Shine, Toner, Voorheis, and Withington—25.

NOES—None.

Senate Bills Nos. 843, 486, and 424 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State.

Also: Passed Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

Also: Passed Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 890 and 762 ordered to enrollment.

MOTION.

On motion of Senator Denison, Assembly Bill No. 1002 was taken up for consideration.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILLS.

Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 1002.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gleaves, Henderson, Holloway, Hoyt, Langford, Linder, Martin, Mathews, Mitchell, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—31.

NOES—None.

Title read and approved.

Assembly Bill No. 734—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property,

and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 734.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Bert, Burke, Denison, Dunn, Earl, Flint, Ford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Simpson, Smith, Toner, Whitehurst, and Withington—30.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

"Resolved, That a committee, consisting of three holdover Senators, be appointed by the President pro tem., whose duty it shall be to report to the Legislature at its next session a better and cheaper method than the present of proceeding with legislative business; to perfect a better system for making up files, histories, etc., which will provide each member with a complete transcript of the business of both houses up to the time of convening each day; to simplify the clerical work at the desk and in the several offices, so that the work assigned each can be more readily performed; to lessen the necessity for so much printed matter, and to make such other recommendations, the adoption of which they deem would expedite the business and facilitate the work of the Legislature.

"Resolved further, That said committee be empowered to employ two clerks, and the State Printer directed to do all the necessary printing.

"Resolved, That the sum of one thousand dollars is hereby appropriated out of the Contingent Fund of the Senate for the purpose of paying the clerical help, and the Controller is hereby directed to draw his warrant for the same in favor of the Chairman of the committee, and the Treasurer directed to pay the same."

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following:

"Resolved, That a committee, consisting of three holdover Senators, be appointed by the President pro tem., whose duty it shall be to report to the Legislature at its next session a better and cheaper method than the present of proceeding with legislative business; to perfect a better system for making up files, histories, etc., which will provide each member with a complete transcript of the business of both houses up to the time of convening each day; to simplify the clerical work at the desk and in the several offices, so that the work assigned each can be more readily performed; to lessen the necessity for so much printed matter, and to make such other recommendations, the adoption of which they deem would expedite the business and facilitate the work of the Legislature."

HART, Chairman.

Report of committee adopted.

MOTIONS.

Senator Seawell moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

On motion of Senator Martin, Assembly Bill No. 433 was taken up.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 433—An Act to authorize the Trustees of the city of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Read first, second, and third times.

The question being on the final passage of Assembly Bill No. 433.

The roll was called, and the bill finally passed by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gileaves, Hart, Henderson, Hoyt, Langford, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—33.

NOES—Senator McAllister—1.

Title read and approved.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read :

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Refused to pass Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Passed Senate Bill No. 566—An Act for the more effectually prohibiting the keeping or exposing for sale, selling, giving, or permitting others to take any vinous, alcoholic, malt, or spirituous liquors within one mile of the land belonging to this State upon which a university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Also: Refused to pass Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Also: Passed Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Also: Concurred in Senate amendments to Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Also: Passed Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

S. J. DUCKWORTH, Chief Clerk.

Senate Bills Nos. 89, 566, 233, and 511 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 883—An Act to amend the Code of Civil Procedure of California, by adding a new section thereto, to be known as section four hundred and seventy-seven, relating to pleadings in civil actions, and amendments thereof.

Also: Senate Bill No. 882—An Act to amend section four hundred and thirty-one of the Code of Civil Procedure, relating to demurrers to complaints.

Also: Senate Bill No. 881—An Act to amend section four hundred and seventy-five of the Code of Civil Procedure of California, relating to errors and defects in pleadings and proceedings, and to errors in overruling or sustaining demurrers.

Also: Senate Bill No. 880—An Act to amend section five hundred and ninety-two of the Code of Civil Procedure of California, relating to the trial of issues of fact in actions both at law and in equity.

Also: Senate Bill No. 878—An Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as section nine hundred and sixty, relating to appeals in civil cases.

Also: Senate Bill No. 879—An Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as section three hundred and ninety-one, relating to parties to civil actions.

Also: Senate Bill No. 874—An Act to amend sections two, six, seven, fourteen, fifteen, sixteen, and seventeen, and to repeal section twenty-two of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment and election of assignees, the appointment of receivers, the delivery of the property of the insolvent, the adjudication of due and legal notice to creditors, the bonds and oaths of assignees, and the time of making of assignments by clerks.

Also: Senate Bill No. 870—An Act to amend section five hundred and ninety-two of the Code of Civil Procedure of California, relating to the trial of issues of fact.

Also: Senate Bill No. 869—An Act to amend section six hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the granting of new trials.

Also: Senate Bill No. 867—An Act to amend section ninety-three of the Code of Civil Procedure of the State of California, concerning Justices' docket.

Also: Senate Bill No. 865—An Act to regulate the transportation of perishable fruit, goods, or merchandise, by express or transfer companies.

Also: Senate Bill No. 864—An Act to regulate the business of running and conducting cars for profit over railroads within the State of California, and to provide a penalty for the violation of the provisions of this Act.

Also: Senate Bill No. 863—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight and one half, relating to defrauding proprietors and managers of livery stables.

Also: Senate Bill No. 845—An Act to amend sections three hundred and seventy-six and three hundred and seventy-seven of the Code of Civil Procedure, relating to actions to recover damages for the wrongful or negligent injury or killing of human beings.

Also: Senate Bill No. 831—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties, to use voting machines or balloting devices at all elections therein, and to secure greater independence of voters and secrecy of the ballot at municipal elections in the State of California.

Also: Senate Bill No. 829—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Also: Senate Bill No. 823—An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known and numbered as section one thousand seven hundred and sixty-seven, authorizing minors to borrow money to improve their property.

Also: Senate Bill No. 821—An Act to amend section one thousand four hundred and sixty-one of the Code of Civil Procedure of this State so as to read as follows.

Also: Senate Bill No. 820—An Act to add a new section to the Code of Civil Procedure, to be known as section twelve hundred and ninety-six, relating to the jurisdiction of Courts of the estates of deceased persons.

Also: Senate Bill No. 819—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be known and numbered as section seventeen hundred and forty-two, relating to contracts for the sale of personal property.

Also: Senate Bill No. 818—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages.

Also: Senate Bill No. 816—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding four new sections to said Penal Code, to be known and numbered as section —, section —, section —, and section —, relating to slander.

Also: Senate Bill No. 815—An Act to amend sections two hundred and forty-nine, two hundred and fifty, two hundred and fifty-two, and two hundred and fifty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to libel.

Also: Senate Bill No. 812—An Act to regulate the conduct and management of asylums and hospitals for the insane, and to prevent the incarceration therein of sane persons, or of persons who are not so far disordered in mind as to endanger health, person, or property.

Also: Senate Bill No. 804—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments.

Also: Senate Bill No. 803—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Also: Senate Bill No. 702—An Act to amend an Act to prevent the trespassing of animals upon private property in the counties of Santa Barbara, San Luis Obispo, and Monterey, approved February 6, 1864.

Also: Senate Bill No. 767—An Act to amend section ninety-two of the Civil Code, relating to divorce, and to add a new section to the Civil Code to be known and designated as section one hundred and eight of the Civil Code, relating to divorce.

Also: Senate Bill No. 756—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Also: Senate Bill No. 749—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail for consumption on the premises.

Also: Senate Bill No. 748—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Also: Senate Bill No. 747—An Act to amend section three hundred and seventy-seven of the Code of Civil Procedure of the State of California, relating to actions for damages on account of the death of a person.

Also: Senate Bill No. 745—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Also: Senate Bill No. 711—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons to property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received, and as to the liability of Sheriffs in levying such writs of execution and attachment, and as to the liability of Sheriffs in levying writs of execution or attachment upon property claimed as exempt from execution under section six hundred and ninety of the Code of Civil Procedure.

Also: Senate Bill No. 706—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts, and to repeal chapter two hundred and forty-one of the Statutes of 1891.

Also: Senate Bill No. 696—An Act to amend section fifty-five of the Civil Code of the State of California; to repeal sections seventy-five, seventy-six, and seventy-seven thereof, and to add a new section thereto, to be known as section eighty-one, of the Civil Code, relating to marriage, marriage contracts, and the solemnization of marriages.

Also: Senate Bill No. 664—An Act to amend section three thousand and fifty-one of the Civil Code, relative to sale of stock left in pasture or stables.

Also: Senate Bill No. 625—An Act to amend sections two hundred and four, two hundred and five, and two hundred and eight of the Code of Civil Procedure, relative to trial and grand jurors.

Also: Senate Bill No. 623—An Act to amend sections thirty-eight hundred and forty, thirty-eight hundred and forty-six, thirty-eight hundred and fifty-one and thirty-eight hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the collection of poll taxes.

Also: Senate Bill No. 608—An Act to amend section two hundred and seventy-four (274) of an Act entitled "An Act to establish a Code of Civil Procedure" relative to the compensation of Court reporters.

Also: Senate Bill No. 597—An Act to amend section four hundred and seven (407) of the Code of Civil Procedure.

Also: Senate Bill No. 575—An Act to amend section three thousand eight hundred and twenty of the Political Code of the State of California, and to add a new section thereto, to be numbered section three thousand eight hundred and thirty-one, relating to the duty of Assessors in the collection of revenues.

Also: Senate Bill No. 574—An Act to repeal an Act of the Legislature of the State of California, entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties of this State, to conform to the requirements of the provisions of the Political Code, in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Also: Senate Bill No. 563—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Also: Senate Bill No. 555—An Act to provide for a commission to investigate public offices, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof; and to inquire into the acts of all public officers, employees, and attachés of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employees, and attachés, and their official misconduct generally; and to investigate violations of the election laws.

Also: Senate Bill No. 551—An Act to prevent waste on mortgaged premises, and providing for the punishment for violation thereof.

Also: Senate Bill No. 546—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of an Act of the Legislature of the State of California, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to gas corporations.

Also: Senate Bill No. 535—An Act establishing a commission to revise and compile the laws of the State of California, and to re-codify the several codes thereof, and amendments thereto.

Also: Senate Bill No. 485—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section thirteen hundred and twenty-four.

Also: Senate Bill No. 484—An Act to amend sections ten hundred and eighty-three and ten hundred and eighty-four of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Also: Senate Bill No. 442—An Act to amend section six hundred and eighty-nine of the Penal Code of the State of California, relating to the trial by jury of public offenses.

Also: Senate Bill No. 441—An Act to amend the Civil Code by adding a new section thereto, numbered eight hundred and eleven.

Also: Senate Bill No. 374—An Act to establish the due execution and attestation of last wills and testaments.

Also: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Also: Senate Joint Resolution No. 16—Joint resolution relative to the constitutionality of the irrigation law.

Also: Senate Bill No. 273—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relating to witnesses before grand juries.

Also: Senate Bill No. 123—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 227—An Act prohibiting discrimination by corporations engaged in supplying water or gas to the inhabitants of municipalities, and providing that deposits shall not be exacted for placing meters.

Also: Senate Bill No. 773—An Act to amend section three thousand five hundred and fifty-five of the Political Code, relative to costs of proceedings against delinquent purchasers of public lands.

Also: The report of the Torrens Land Transfer Commission.

Respectfully return the same to the Senate without recommendation.

McGOWAN, Chairman.

MOTION.

Senator Smith moved to reconsider the vote whereby the resolution declaring Assembly Bill No. 473 a case of urgency was this day refused adoption.

POINT OF ORDER.

Senator Burke made the point of order that the Senate had already refused to adopt the resolution, and the mover was not among those who voted against the resolution.

The presiding officer declared the point of order well taken.

Senator Smith appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the Senate?"

Senator Seawell moved to take a recess until seven o'clock and thirty minutes P. M. this day.

On this motion, the ayes and noes were demanded by Senators Seawell, Shippee, and Voorheis.

The roll was called, and before the announcement of the vote, Senator Seawell moved a call of the Senate.

On this motion, the ayes and noes were demanded by Senators Seawell, Langford, and Shippee.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Androus, Berr, Burke, Denison, Franck, Hart, Henderson, Langford, Mahoney, Martin, Orr, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wittington—13.

NOES—Senators Beard, Earl, Fay, Flint, Ford, Gleaves, Hoyt, McGowan, Mitchell, Seymour, Shine, Smith, and Toner—13.

The Secretary called the roll, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Secretary announced that Senators Biggy and Gesford were the only absentees.

The presiding officer directed the Sergeant-at-Arms to forthwith close the doors and bring before the bar of the Senate the absentees.

Senator Smith moved that further proceedings under the call of the Senate be dispensed with.

Upon this motion the ayes and noes were demanded by Senators Shippee, Seawell, and Withington.

The roll was called, and the motion carried by the following vote:

AYES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Flint, Ford, Gleaves, Hoyt, McAllister, McGowan, Mitchell, Pedlar, Seymour, Smith, Toner, and Withington—18.

NOES—Senators Burke, Fay, Franck, Hart, Henderson, Holloway, Mahoney, Martin, Mathews, Seawell, Shippee, Simpson, and Whitehurst—13.

The Sergeant-at-Arms was thereupon directed to open the doors.

Pending the announcement of the following vote on the motion of Senator Seawell to take a recess until seven o'clock and thirty minutes P. M., viz.:

AYES—Senators Burke, Flint, Franck, Holloway, Langford, Martin, Mathews, McAllister, Orr, Seawell, Shippee, Voorheis, and Whitehurst—13.

NOES—Senators Aram, Androus, Beard, Bert, Denison, Earl, Gleaves, Linder, McGowan, Mitchell, Seymour, Shine, Smith, and Withington—14.

Senator Burke made a point of order that the hour of recess having arrived, it was the duty of the presiding officer to declare the Senate at recess until seven o'clock and thirty minutes P. M. this day.

The presiding officer declared the point of order well taken, and announced that the Senate was at recess until seven o'clock and thirty minutes P. M. this day.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

RESOLUTIONS.

By Senator Androus:

Resolved, That C. R. Mayhew, Engrossing Clerk of the Senate, and G. L. Henry, Assistant Engrossing Clerk, also J. L. McComas, File Clerk of the Senate, be and are hereby employed, after the final adjournment of the Senate, for the purpose of completing the work on their books and delivering the same into the hands of the Secretary of State, and that they be allowed the sum of fifty dollars each, payable out of the Contingent Fund of the Senate; and that the Controller is hereby directed to draw his warrant for said amount, in favor of the above-named persons, and the Treasurer is directed to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Burke, Denison, Earl, Flint, Ford, Franck, Gleaves, Hart, Henderson, Holloway, Linder, Martin, Mathews, McAllister, Mitchell, Seymour, Shippee, Toner, and Voorheis—23.
NOES—None.

By Senator Androus:

Resolved, That J. F. Knapp be and hereby is appointed as an expert to assist the Journal Clerk in the proper indexing and arranging alphabetically of the Journals of this session; his time of employment to continue two weeks only after adjournment, at eight dollars per diem. The Controller is hereby authorized and directed to pay the same out of the contingent expenses of the Senate.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Senators Androus, Franck, Hart, Holloway, Linder, Mahoney, Martin, and Mitchell 8.
NOES—Senators Beard, Biggy, Burke, Denison, Earl, Fay, Gleaves, Hoyt, McAllister, Orr, Pedlar, Seymour, Shippee, Voorheis, and Withington—15.

By Senator Withington:

Resolved, That the Secretary of the Senate and the Sergeant-at-Arms be and they hereby are instructed to notify such officers, employés, and attachés of the Senate to attend at the next session of the Legislature, as are required by the provisions of section two hundred and thirty-seven of the Political Code, as amended at this session of the Legislature.

Adopted.

By Senator Earl:

WHEREAS, The Bookkeeper to the Sergeant-at-Arms was, by resolution of this body, made the custodian of warrants drawn in favor of its members, officers, and attachés; and whereas, some person, representing himself to be one Jerry Todd, to whom a warrant for twenty-four dollars was due, and being vouched for by a person who accompanied him, was given such warrant; and whereas, said person was not Jerry, but an impostor; and whereas, said amount of twenty-four dollars was subsequently made good to said Jerry Todd, by said Bookkeeper; therefore, be it

Resolved, That the Controller be and he is hereby directed to draw a warrant in favor of the Bookkeeper to the Sergeant-at-Arms of the Senate for the sum of twenty-four dollars, said warrant to be so drawn on the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arms, Androus, Beard, Bert, Denison, Dunn, Earl, Ford, Franck, Gleaves, Hart, Henderson, Hoyt, Linder, Mahoney, Martin, Mitchell, Shine, and Toner—19.
NOES—Senators Biggy, Burke, Fay, Holloway, McAllister, and Shippee—6.

By Senator Shine:

Resolved, That C. C. Ortega, Assistant Journal Clerk of the Senate, be and he is hereby employed as such assistant (to help to complete the work of said office) for the period of one week after the adjournment of the thirty-first session of the Legislature, at the same per diem as he is receiving now for such services as Assistant Journal Clerk of the Senate; and that the Controller be and is hereby directed to draw his warrant for the said amount, in favor of C. C. Ortega, and the Treasurer is directed to pay the same.

Senator Pedlar offered the following substitute:

Resolved, That all attachés of the Senate be continued in Sacramento at their own expense for one week.

Substitute adopted.

REPORT OF COMMITTEE OF CONFERENCE.

MR. PRESIDENT: Your Committee of Conference on Assembly Bill No. 470 have met a like committee of the Assembly and were unable to agree with said committee, and respectfully recommend that the Senate do not recede from its amendments.

WITHINGTON,
ARAM,
ARMS,
Committee.

Report of Committee of Conference adopted.

At eight o'clock and fifteen minutes P. M., Hon. Orestes Orr, Senator from the Thirty-fifth District, was called to the chair.

MOTION.

Senator Burke moved to take up messages from the Governor.
So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 16, 1895. }

To the Senate of the State of California:

I return herewith, without my approval, Senate Bill No. 239, entitled "An Act to regulate the sale and redemption of transportation tickets."

While this bill professes to be a regulation of the selling and redeeming of transportation tickets, it goes far beyond that. While it is claimed that it is an attempt to regulate or prohibit the sale of tickets by persons known as "scalpers," it in fact prevents and prohibits the sale of tickets by individuals who have received or purchased them lawfully and in good faith. Under the provisions of this Act a citizen purchasing a ticket with a *bona fide* intention to travel upon the same, may sell the ticket to any individual or corporation, and the law thereby authorizes the purchase of such ticket by such other person; yet the person who thus purchases, under authority of law, and for a valuable consideration, the ticket, becomes a criminal when he either sells or gives to another the property and the right he has procured under direct authority of the Act.

Again, the minimum punishment prescribed by section five of this Act is two hundred dollars. Should a man steal a railroad ticket of any value under fifty dollars, he is by the law punishable for committing a misdemeanor. There is for the offense of stealing the ticket, if a misdemeanor, no fixed minimum penalty, and the maximum penalty would be a fine of five hundred dollars and six months' imprisonment. So that the man stealing a ticket of the value of less than fifty dollars, with intent to deprive the owner thereof of his property therein, could not be punished by a fine not to exceed five hundred dollars, nor by imprisonment to exceed six months, or both, and might be fined by the Court in the sum of one dollar, or even less; yet a man purchasing a railroad ticket from Oakland to San Francisco for ten cents, or a ticket from San Francisco to Sacramento by way of Stockton for three dollars and thirty cents, may sell the ticket or give it to a friend; but if the person to whom he sold or gave the ticket should sell or give it away honestly and without any criminal intent, he would become a criminal, and be liable to punishment by a fine of not less than two hundred dollars, and the Court would have no power to impose a less punishment upon him. Why a man selling a railroad ticket, because it is a railroad ticket, should be thus severely punished, while a man who steals the property of a private individual of many times the value of a railroad ticket may be fined but a small amount, is something beyond my comprehension. To sell a railroad ticket of the value of ten cents a second time makes a man a criminal under this Act, with no less a penalty attached than a fine of two hundred dollars, and yet a person may steal from a poor man all he has—so long as it be under fifty dollars in value—and the penalty therefor is a fine in any sum less than five hundred dollars, and imprisonment not to exceed six months. For no other reason than this, the law should not be enacted. Beyond this there are other objections, all of which it is needless to state.

Under section one of the Act it is provided that it shall be the duty of owners, lessees, etc., of transportation companies, as stated in the bill, to provide each an agent who may be authorized to sell tickets or other documentary evidence of the right to travel upon "such railroad, steamboat, or other conveyance, with a certificate," etc. If this bill could have interstate operation, and even though it may not have such operation, if it became a law the meaning of the little word "such" would be so broad as to allow any transportation company to prevent any other transportation company having connections with it, from selling any tickets through the connecting lines without the

authority of the owner of each and every such line. In other words, a railroad company owning a line running from San Francisco to Martinez or Stockton, connecting with a line of another company running from Stockton to Tulare, and that of another company owning a line running from Tulare to Los Angeles, might be prevented by each and every one of these companies—whether under a lease or otherwise—from selling any tickets except through an agent of such other companies. The agent of company A might refuse to give to the agent of company B the right to sell tickets over company A's line, and it would be so authorized to refuse by this Act, and thereby a system, either state or interstate, of requiring owners of connecting lines of railroads to pay owners of other lines of railroads for the privilege of thus selling through connecting tickets would be established. Whether this was contemplated or not, it would work a great hardship to the people and to connecting transportation lines.

The Legislature will observe that there is no regulation of the sale of tickets by "scalpers," and while "scalpers" are denounced—whether unjustly or not—in transacting their business the drag-net of the law proposed reaches far beyond them. If they forge tickets, or allow them to be changed, there are criminal laws to punish them. If they deal in tickets as they ought not to do, and these tickets cannot now be traced, a law regulating or even prohibiting the business of "scalpers" might be passed. We prohibit, license, or regulate the business of selling liquors, but we do not usually prohibit, license, or regulate the giving of liquors to a man by his friends. There is a vast difference between an Act to regulate or prohibit a business as such and an Act reaching to an individual in the exercise of his rightful use of property belonging to himself.

JAMES H. BUDD, Governor.

CONSIDERATION OF THE GOVERNOR'S VETO OF SENATE BILL No. 239.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Earl, Fay, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Mahoney, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Voorheis, Whitehurst, and Withington—28.

MESSAGES FROM THE GOVERNOR—(RESUMED).

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 16, 1895. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 347 and 607.

JAMES H. BUDD, Governor.

At eight o'clock and thirty minutes p. m., President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 16, 1895. }

To the Senate of the State of California:

I hereby nominate Henry C. Gesford, of the county of Napa, to be Insurance Commissioner; vice J. N. E. Wilson, term expired April 15, 1894.

I also, by these presents, nominate Nelson Provost, of San Francisco, to be Port Warden for the port and harbor of San Francisco; vice John W. Gage, term to expire March 30, 1895.

I also nominate H. R. Atwood, of San Francisco, to be Port Warden for the port and harbor of San Francisco; vice Andrew J. Martin, term to expire March 30, 1895.

I also nominate Robert Fitzgerald, of Oakland, Alameda County, to be Director of the California State Prisons, to succeed Charles Sonntag, whose term expired January 18, 1894.

And respectfully ask your consent to, and concurrence in, the same.

JAMES H. BUDD, Governor.

MOTION.

Senator Burke moved that the Senate advise and consent to the appointment of Henry C. Gesford, of the county of Napa, to the office

of Insurance Commissioner, vice J. N. E. Wilson, term expired April 15, 1894.

Upon the question, "Will the Senate advise and consent to the appointment of Henry C. Gesford, of the county of Napa, to be Insurance Commissioner, vice J. N. E. Wilson, term expired April 15, 1894?"

By direction of the President pro tem., the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Biggy, Burke, Dunn, Fay, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Pedlar, Seawell, Seymour, Simpson, Smith, Toner, Voorheis, and Whitehurst—31.

NOES—Senators Bert, Denison, Ford, Shippee, and Withington—5.

Whereupon the President pro tem. announced the appointment of Henry C. Gesford, of the county of Napa, to be Insurance Commissioner, duly confirmed.

EXPLANATIONS.

Senator Bert gave the following explanation of his vote, and asked to have the same printed in the Journal:

MR. PRESIDENT: I have had the honor of personal acquaintance with the honored gentleman from Napa for many years past. I have had the privilege of intimate association with him professionally and fraternally during the few years last past; and during the present session, his entire course has been such as to inspire in me feelings of warm admiration and profound respect. I thoroughly recognize and properly appreciate his great and eminent ability; his sterling and unquestioned integrity, and I desire to state here, publicly, that there is no gentleman in California for whom I would more readily vote, to confirm in any position, than my honored friend, Senator Gesford; but, in my opinion, no legal vacancy exists, and I question the right of Governor Budd to nominate an Insurance Commissioner at this time. The present incumbent was appointed by Governor Markham, and confirmed by the Senate, for the term of four years. He entered upon the discharge of his duties in April, 1894, and is legally qualified to hold until April, 1898; he has discharged his duties in a prompt, able, intelligent, and conscientious manner. It is a matter of common repute in insurance circles, that he is one of the best Commissioners who ever held the office since the creation of the same. I see no just or legal reason for his removal, and I therefore vote "no." In doing so, I desire to state most emphatically that I intend no reflection upon Senator Gesford; on the contrary, as before stated, I entertain only sentiments of profound respect and warm friendship for him, and if a legal vacancy existed I should esteem it a great privilege and high honor to vote to confirm him in any position.

EUGENE F. BERT.

Senator Ford gave the following explanation of his vote, and same was ordered printed in the Journal:

I vote "no" upon the sole ground that, in my opinion, there exists no vacancy in the office of Insurance Commissioner. Did such vacancy exist, there is no citizen of this State for whose confirmation I would more gladly vote than the able and honorable Senator from Napa, for whose integrity and ability I have the highest regard.

T. L. FORD.

Consideration of the confirmation of the appointment of Nelson Provost, of San Francisco, to be Port Warden for the port and harbor of San Francisco, vice John W. Gage, term to expire March 30, 1895.

Upon the question, "Will the Senate advise and consent to the appointment of Nelson Provost, of San Francisco, to be Port Warden for the port and harbor of San Francisco, vice John W. Gage, term to expire March 30, 1895?"

By direction of the President pro tem., the roll was called, with the following result:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Henderson, Holloway, Hoyt, Mahoney, Martin, Mathews, McAllister,

McGowan, Mitchell, Orr, Seawell, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—29.
NOES—None.

Whereupon the President pro tem. announced the appointment of Nelson Provost, of San Francisco, to the office of Port Warden for the port and harbor of San Francisco, duly confirmed.

Consideration of the confirmation of the appointment of H. R. Atwood, of San Francisco, to be Port Warden for the port and harbor of San Francisco, vice Andrew J. Martin, term to expire March 30, 1895.

Upon the question, "Will the Senate advise and consent to the appointment of H. R. Atwood, of San Francisco, to be Port Warden for the port and harbor of San Francisco, vice Andrew J. Martin, term to expire March 30, 1895?"

By direction of the President pro tem., the roll was called, with the following result:

AYES—Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Dunn, Earl, Flint, Franck, Gleaves, Hart, Henderson, Holloway, Langford, Linder, Mahoney, Martin, Mathews, Mitchell, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—31.
NOES—None.

Whereupon the President pro tem. announced the appointment of H. R. Atwood, of San Francisco, to the office of Port Warden for the port and harbor of San Francisco, duly confirmed.

At eight o'clock and forty-five minutes p. m., Hon. Orestes Orr, Senator from the Thirty-fifth District, was called to the chair.

Consideration of the confirmation of the appointment of Robert Fitzgerald, of Oakland, Alameda County, to be Director of the California State Prisons, to succeed Charles Sonntag, whose term expired January 18, 1894.

Upon the question, "Will the Senate advise and consent to the appointment of Robert Fitzgerald, of Oakland, Alameda County, to be Director of the California State Prisons, to succeed Charles Sonntag, whose term expired January 18, 1894?"

By direction of the presiding officer, the roll was called, with the following result:

AYES—Senators Aram, Androus, Bert, Biggy, Burke, Fay, Flint, Ford, Gesford, Gleaves, Henderson, Holloway, Hoyt, Langford, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington—30.
NOES—None.

Whereupon the Acting President announced the appointment of Robert Fitzgerald, of Oakland, Alameda County, to the office of Director of the California State Prisons, duly confirmed.

RESOLUTION.

By Senator Voorheis:

Resolved by the Senate, the Assembly concurring, That a committee of three be appointed by the President pro tem. of the Senate, to act with a like committee from the Assembly, to wait upon the Governor and inquire of him if there be any message which the Executive desires to communicate to the Legislature prior to its adjournment *sine die*.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Beard, Bert, Biggy, Burke, Fay, Flint, Ford, Franek, Gesford, Gleaves, Henderson, Holloway, Mahoney, Martin, Mathews, McAllister, Mitchell, Orr, Seawell, Seymour, Shine, Shippee, Simpson, Toner, Voorheis, Whitehurst, and Withington—29.

NOES—None.

APPOINTMENT OF COMMITTEE.

The Chair appointed as the committee to wait upon the Governor, Senators Voorheis, Denison, and Burke.

REPORT OF SPECIAL INVESTIGATING COMMITTEE.

MR. PRESIDENT: Your committee heretofore appointed to investigate certain matters contained in a resolution adopted by your honorable body, March 12, 1895, a certified copy of which is hereto attached and made a part hereof, beg leave to report as follows:

That, in pursuance of the authority conferred by said resolution, your committee met in room 14, Capitol building, on Wednesday, the thirteenth instant, at nine o'clock and thirty minutes A. M., to proceed with said investigation.

Senator Biggy, named in said resolution, having been duly notified of the time and place of said meeting, and being present in person, and stating that he desired to be represented by counsel, and that it would be impossible to proceed with said investigation at said time without counsel, your committee then asked that the name of the person whom he charged with having offered him money to "stand in" with a combination, be at that time disclosed, in order to allow such person to prepare and make his defense. He stated that Senator Dunn was the man. Senator Dunn being present and having heard the charge made by Senator Biggy, stated that he was ready to meet the charge.

Whereupon, your committee, at request of Senator Biggy, adjourned until Thursday, the fourteenth instant, at nine o'clock A. M., in order to allow him to procure counsel.

On Thursday, the fourteenth instant, your committee met, pursuant to adjournment, and Senator Biggy not being present in person, owing to the death of his sister, your committee, at the request of W. W. Foote, his counsel, adjourned to meet on Friday, the fifteenth instant, at eight o'clock and thirty minutes P. M.

Friday, March 15, 1895. Your committee met pursuant to adjournment, in room 14, Capitol building, and Senators Biggy and Dunn both being present in person and by counsel, thereupon we proceeded to hear and determine the evidence, which was in substance as follows:

Senator Biggy testified that Senator Dunn had told him that he could make eight thousand dollars if he would "stand in" with a combine on some of the "cinch bills," and fixed the time and place of said conversation between them.

Senator Dunn being examined, denied that he had ever, at any time or place, made such offer, or had such conversation with Senator Biggy. Julius Kahn testified to a conversation with Senator Dunn during the present session, in which conversation Senator Dunn made a statement to him in reference to certain insurance bills, and that it would take money to defeat them, all of which was denied by Senator Dunn.

Counsel for Senator Biggy offered to show that Senator Biggy had communicated to numerous other persons the conversations with Senator Dunn, but the same was rejected by your committee, on the grounds of being self-serving and therefore incompetent.

Some statements being made by counsel for Senator Biggy, intimating that a combine existed in the Senate, your committee asked if they were prepared to make a charge to that effect, and counsel for Senator Biggy then answered as follows: "I have a number of witnesses here, but under the rule of the committee, we cannot put them on. I do say, however, that if the committee will get the authority from the Senate to sit after the adjournment of the Legislature, we are prepared with a mass of evidence not only upon this charge, but upon others affecting many people. I would ask this committee to get that authority."

Your committee concludes as follows: That the evidence of Mr. Kahn is not sufficiently corroborative to overcome the conflict in the evidence between Senators Biggy and Dunn; therefore, we are unable to decide, from the evidence adduced, the truth or falsity of the charge in said resolution contained.

We further report that we did not, in our opinion, have time to enter into the question as to a combine, and complete the investigation within the life of this Senate, and therefore refused to hear any evidence concerning the same.

From all the evidence adduced, it is plain that one of the Senators involved in this affair has sworn falsely, and should be held up to the world in his true light, and be punished for his misconduct. On the other hand, it is equally plain that one of them has spoken the truth, and it is but meager justice to him that he be able to substantiate his words more fully than has been possible in the very limited time at the disposal of this committee.

From both considerations, therefore your committee recommend, first, that the whole matter be referred to the grand jury of Sacramento County, now in session; or, second, that this committee be continued in existence with power to sit during a recess of the Legislature, and to report the result of its labors to the Governor.

We feel that some further inquiry is due to the innocent party, to the people of the State, and to the good name of this honorable body.

We herewith transmit a transcript of all the evidence taken in said investigation, all of which is respectfully submitted.

C. M. SIMPSON, Chairman,
EUGENE ARAM,
S. H. SMITH,
J. H. SEAWELL,
L. A. WHITEHURST,
Committee.

[For a full report of the testimony and proceedings in the matter of the investigation of the charges made against Senator W. J. Dunn by Senator W. J. Biggy, before the committee of the Senate appointed for the purpose of investigating said charges, see Appendix to Senate and Assembly Journals.]

MOTION.

Senator Androus moved that the report of the committee be accepted and the committee discharged.

At nine o'clock P. M., President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

The report of the committee was thereupon accepted, and the committee discharged.

RESOLUTION.

By Senator Fay:

WHEREAS, The Chairman of the committee appointed to investigate the charges implied from the language used by Senator Biggy in the presence of the Senate, of a corrupt combination of members of the Senate of the State of California, also of the unlawful expenditure or promise of payment of money on the part of persons, corporations, and associations, to influence legislation, or obstruct and defeat the progress of the same; and also, the employment of agents or lobbyists for the purpose of corruptly influencing the actions and votes of members of the Senate, will be unable, on account of the short time intervening before the day fixed for adjournment, to fully investigate the charges; and whereas, said statements are of such a character as to cause widespread notoriety, and to lead the people of the State of California to infer that members of the Senate are or have been corruptly influenced, or that the Senate of this Legislature is and has been corrupt in its proceedings and actions; therefore, be it

Resolved, That the committee of five appointed by the President pro tem. of the Senate, and consisting of Senators Simpson, Smith, Aram, Seawell, and Whitehurst, shall fully investigate the charges and statements made by Senator Biggy, and said committee shall have full power to send for persons, books, papers, and documents; shall have power to administer oaths to witnesses, and to do all other acts necessary to arrive at a full, free, and thorough investigation of said charges.

Resolved, That said committee shall hold sessions at such times and in such places as it may determine, during the present session of the Senate, and after the adjournment thereof; and said committee shall transmit, from time to time, to the Attorney-General of this State, a full record of all its proceedings—including a transcript of the testimony taken; and be it further

Resolved, That the Controller be and he hereby is authorized and directed to draw his warrant upon the Treasurer for such sum or sums as may be required to defray all expenses necessary and incident to this investigation, subject to allowance by the Board of Examiners, and payable out of the General Fund.

Resolved, That the Attorney-General be and he is hereby requested to attend the sessions or meetings of said committee, and examine such witnesses as he may desire to examine, and assist the said committee in its investigation, and that he be requested to present to the grand jury of any county having jurisdiction of any offense which may be discovered, the names of witnesses and testimony disclosed, or to have presented before a committing magistrate such person or persons who in his opinion the evidence discloses has committed a public offense.

Senator Fay moved the adoption of the resolution.

At nine o'clock and fifteen minutes P. M. Hon. Tirey L. Ford, Senator from the Third District, was called to the chair.

MOTION.

Senator Burke moved that the following:

"That the whole matter be referred to the Grand Jury of Sacramento County, now in session."

Being part of the report of the Investigating Committee, be substituted for the resolution of Senator Fay.

Substitute adopted.

RESOLUTION.

By Senator Simpson:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of Nora Andrews, for the sum of fifty dollars, for services as stenographer to the Committee on Investigation, under resolution of the Senate dated March twelfth, referring to certain alleged charges made by Senator Biggy; and the Treasurer is hereby authorized to pay said warrant, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Aram, Arms, Andrews, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Smith, Toner, Voorheis, Whitehurst, and Withington—37.

NOES—None.

REPORT OF COMMITTEE OF CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your committee appointed to confer with a like committee of the Assembly on Senate amendments to Assembly Bill No. 392, respectfully report that the Senate and Assembly committees cannot agree on said amendment, and request a free conference thereon.

HART, Chairman.

Report of Committee of Conference adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Concurrent Resolution No. 9—Relative to employment of convicts in State Prisons.

Also: Senate Concurrent Resolution No. 18—Relative to granting the use of the cabin and orchard in the Yosemite Valley to J. M. Hutchings.

Also: Senate Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Also: Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend 'An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans and Army Nurses, and for the State to inquire into the management of such institutions by a uniform rule, proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in said Home,' approved March 16, 1889."

Also: Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Also: Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Also: Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

Also: Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young, for architect's fees for erection and construction of power and electric plant at the Whittier School.

Also: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Also: Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

At nine o'clock and fifty-five minutes P. M. Hon. Frank McGowan, Senator from the First District, was called to the chair.

RESOLUTION.

By Senator McAllister:

WHEREAS, Hon. Spencer G. Millard, Lieutenant-Governor of this State, has, through illness, been detained at his home in the City of Los Angeles, and has been unable to be in attendance upon the Legislature at its present session;

Resolved, That the Senate deeply regrets the absence of the Lieutenant-Governor, and desires to express its sincere sympathy for him and his family; and the Senate further expresses the hope that the Lieutenant-Governor may speedily recover his health and be present at the next session of the Legislature to occupy his official position as the President of the Senate.

Resolved further, That a printed copy of these resolutions be forwarded by the Secretary of the Senate to Hon. Spencer G. Millard, and a copy thereof entered upon the Journal of the Senate.

On motion of Senator McAllister, the resolution was adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed Messrs. Brusie, Bettman, and Bachman a committee on the part of the Assembly to meet with a like committee on the part of the Senate to wait upon his Excellency the Governor, to inquire of him if there be any message which the Executive desires to communicate to the Legislature prior to its adjournment *sine die*.

S. J. DUCKWORTH, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 20—Extending greetings to Hon. Peter H. Burnett, ex-Governor of the State of California.

S. J. DUCKWORTH, Chief Clerk.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

WHEREAS, The Hon. Peter H. Burnett, who was the first Governor of the State of California after its admission to the Federal Union, is still living, and though his "Way of life is fall'n into the sere, the yellow leaf," he is in the full enjoyment of "That which should accompany old age, as honor, love, obedience, troops of friends"; and whereas, the people of this State cherish with reverence and gratitude the noble manner in which he performed the duties of his high office at a critical period in the history of the State; therefore, be it

Resolved by the Assembly, the Senate concurring, That the people of California, through their representatives here assembled, do, in this formal way, extend to their friend and former Governor, Peter H. Burnett, the assurance that they have not forgotten his faithful services; and they most sincerely trust that the remainder of his years in this life shall be altogether free from care and full of that comfort which is the just reward of a life well spent.

Resolved, That in the purity of his public and private life the youth of the State of this and future generations will find an example which, if followed, will make our State the foremost in the Union.

Resolved, That an engrossed copy of these resolutions, signed by the presiding officers of the Senate and Assembly, and attested by the Governor, be presented to ex-Governor Burnett.

The roll was called, and Assembly Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Aram, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Ford, Franck, Gesford, Gleaves, Hart, Hoyt, Mahoney, Martin, Mathews, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Whitehurst—31.

NOES—None.

REPORT OF SPECIAL COMMITTEE.

The committee appointed to wait on the Governor, made verbal report that they had waited upon his Excellency, and he stated that he had no further communications to transmit to the Senate.

At eleven o'clock and fifty minutes P. M. President pro tem. Hon. Thomas Flint, Jr., resumed the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills, to whom was referred Senate Bill No. 862—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Also: Senate Bill No. 424—An Act to determine the term of office, and the bond to be required, of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Also: Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Also: Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Also: Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Also: Senate Bill No. 751—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Also: Senate Bill No. 89—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Also: Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

Also: Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Also: Senate Bill No. 782—An Act to amend sections eighteen hundred and eighty, eighteen hundred and eighty-four, and eighteen hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Also: Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Also: Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Also: Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Also: Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State, upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Also: Senate Bill No. 460—An Act to add a new title to part six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State Officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Also: Committee Substitute for Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Also: Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Also: Substitute for Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Also: Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five of the Political Code of the State of California, relating to public schools.

Also: Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 106—An Act authorizing and requiring Boards or Commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Also: Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Also: Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the City of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Also: Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Also: Senate Joint Resolution No. 17—Relative to expending moneys now available for the improvement of our navigable rivers by the National Government.

Also: Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Also: Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Also: Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Also: Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Also: Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Also: Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Also: Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural land.

Also: Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Also: Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Also: Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Have had the same under consideration, and respectfully report the same as correctly enrolled and transmitted to the Governor.

SMITH, Chairman.

PRESENTATIONS.

The Hon. Thomas Flint, Jr., President pro tem. of the Senate, Frank J. Brandon, Secretary, L. F. Blackburn, Sergeant-at-Arms, Charles Newman, Assistant Sergeant-at-Arms, Miss Kittie McHugh, Postmistress, and Mrs. Annie L. Blanchard, Assistant Postmistress, were each called before the bar of the Senate, complimented by several Senators for the efficient manner in which they discharged the duties of their respective offices, and as testimonials of the esteem in which they are held by the Senators, and as a recognition of the faithful performance of their duties, were given articles of value to keep in remembrance.

APPOINTMENT OF COMMITTEE.

The President pro tem. appointed as the committee to recommend to the next Legislature an improved order of business, etc., for the transaction of legislative business: Senators Withington, Franck, and Seawell.

MOTION.

Senator Ford moved that the President pro tem. appoint a committee of three, to wait upon the Assembly, and ascertain if that body had any further business to transact.

So ordered.

APPOINTMENT OF COMMITTEE.

The President pro tem. appointed as such committee, Senators Ford, Beard, and Burke.

The committee verbally reported that the Assembly was still in session, and would notify the Senate when they are ready to adjourn.

MOTION.

On motion of Senator Burke, seconded by Senators Orr, Ford, and Beard, a vote of thanks was given to Senator Withington for his untiring efforts, great care, and ability displayed in framing the County Government Act.

MESSAGE FROM THE ASSEMBLY.

A committee from the Assembly appeared and announced that the Assembly had no further communications to send to the Senate.

APPROVAL OF JOURNALS.

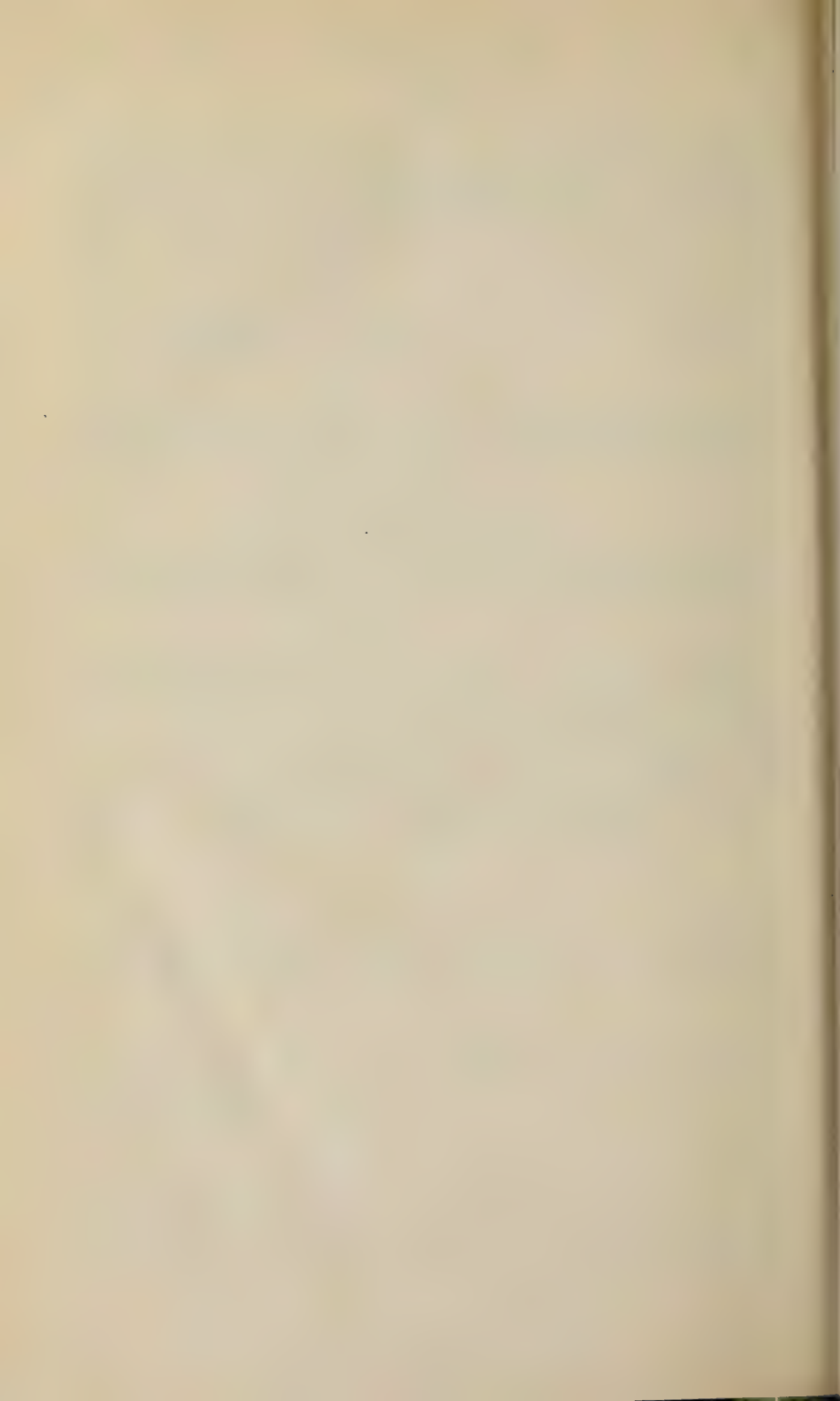
The Journals of Thursday, March 14, 1895, and Friday, March 15, 1895, were approved, and the minutes (Journal) of Saturday, March 16, 1895, were then read and approved.

ADJOURNMENT SINE DIE.

At twelve o'clock P. M., on motion of Senator Voorheis, and in accordance with the provisions of Senate Concurrent Resolution No. 12, fixing the time for such adjournment, the President pro tem. declared the Senate adjourned *sine die*.

THOS. FLINT, JR.,
President pro tem. of the Senate.

F. J. BRANDON,
Secretary of the Senate.
E. FORREST MITCHELL,
Minute Clerk.
C. S. MACMULLAN,
Assistant Minute Clerk.
RAY G. FALK,
Assistant Minute Clerk.



INDEX.

ORDER OF ARRANGEMENT.

INDEX TO PROCEEDINGS OF THE SENATE.

INDEX TO SENATE BILLS.

INDEX TO SENATE RESOLUTIONS.

INDEX TO SENATE CONSTITUTIONAL AMENDMENTS.

ABBREVIATIONS.—S.B., Senate Bill; A.B., Assembly Bill; S.C.R., Senate Concurrent Resolution; A.C.R., Assembly Concurrent Resolution; S.J.R., Senate Joint Resolution; A.J.R., Assembly Joint Resolution; S.C.A., Senate Constitutional Amendment; A.C.A., Assembly Constitutional Amendment.

INDEX TO PROCEEDINGS OF SENATE.

A

	PAGE.
ADJOURNMENTS.....	2, 7, 43, 47, 50, 59, 92, 99, 108, 119, 132, 147, 165, 189, 203, 224, 238, 253, 268, 313, 341, 363, 398, 416, 432, 450, 475, 501, 516, 544, 563, 587, 613, 644, 674, 696, 711, 747, 770, 812, 844, 881, 911, 943, 976, 1001, 1031, 1067, 1105, 1142, 1182, 1219
ALASKA, THE GOVERNOR OF. Presented to Senate.....	890
ANDROUS, S. N. Appeared and qualified.....	1
Appointed on committees.....	42, 55, 67, 68
Bills introduced.....	69, 175, 176, 197, 208, 229, 441, 647, 1015
Leave of absence.....	100, 108, 132, 148, 165, 476, 674, 931, 1001, 1143
Paired on United States Senator.....	141, 142
Petitions.....	649, 691, 884
Presents communication from Lieutenant-Governor Millard.....	51
Resolutions.....	6, 10, 13, 17, 176, 199, 394, 442, 474, 1015, 1068, 1097, 1206, 1207
ARAM, EUGENE. Appeared and qualified.....	1
Appointed on committees.....	68, 458, 1056, 1064, 1166
Bills introduced.....	68, 69, 104, 124, 260, 411, 525, 552, 672
Explanation of vote on S.B. 875.....	1108
Leave of absence.....	416, 843, 1175
Petitions.....	755
Resolutions.....	8, 10, 12, 53, 107, 119, 121, 1153, 1164
ARMS, C. S. Appointed on committees.....	68, 980, 1166
Bills introduced.....	112, 187, 197, 234, 438, 503, 525
Explanation of vote on S.B. 709.....	1072
Leave of absence.....	416, 569, 603, 639, 748, 771
Resolutions.....	770, 1057
ASSEMBLY COMMITTEE ON JOINT ASSEMBLY.....	155
ASSEMBLY MESSAGES. On organization.....	41
On A.C.R. 1 and 2.....	42
On inaugural ceremonies.....	45
On S.C.R. 1; A.B. 290.....	121
On S.B. 197.....	144
On vote cast for United States Senator.....	145
On S.B. 18; S.C.R. 2; S.J.R. 1.....	160
On A.J.R. 2—Reilly Funding Bill.....	194
On adoption of A.C.R. 6.....	201
On S.J.R. 4, 10.....	207
On passage of A.B. 450.....	207
On adoption of S.C.R. 3.....	207
On adoption of S.C.R. 4.....	232
On passage of S.B. 368, 286.....	233
On Substitute for A.J.R. 2 and S.J.R. 3.....	233
On A.C.R. 7.....	233
On passage of A.B. 14, 26, 27, 11.....	242
On passage of A.B. 1, 4, 9, 35, 144, 145.....	252
On passage of A.B. 132, 449.....	263
On passage of S.C.R. 5.....	270
On passage of A.B. 10, 28, 29, 32, 55, 135, 141, 142; A.J.R. 10.....	346, 347
On passage of A.B. 75; A.C.A. 3, 5; A.J.R. 13; S.J.R. 2.....	347
On adoption of S.C.R. 6.....	406
On passage of A.B. 213, 174; S.B. 429.....	439
On adoption of A.C.A. 19, 33.....	440
On passage of A.B. 78, 79, 52, 248, 361.....	440
On passage of A.B. 452, 374, 454, 456, 17.....	456
On adoption of A.J.R. 11.....	481
On adoption of A.J.R. 20 and Sub. for A.J.R. 14.....	531
On adoption of A.C.A. 7.....	531
On passage of A.B. 553, 508, 617, 459, 67, 176, 117, 116, 50.....	551
On adoption of Joint Rules.....	551
On adoption of A.J.R. 16; A.C.R. 11; S.C.A. 8; A.J.R. 8.....	552
On passage of Com. Sub. for S.B. 44.....	553
On passage of A.C.A. 11, 6.....	593
On passage of A.B. 157, 392, 271, 526.....	593

ASSEMBLY MESSAGES—Continued.

	PAGE.
On S.B. 40	594
On passage of S.B. 35, 226, 785	594
On passage of A.B. 935	609
On adoption of A.C.R. 13	619
On passage of S.B. 230, 51, 207, 310, 228, 196, 225, 122, 1, 155, 198, 28	620
On adoption of A.J.R. 5 and 17	620
On passage of A.B. 794	621
On S.B. 22	623
On adoption of A.J.R. 19; A.C.R. 15	623
On passage of S.B. 373, 55, 182, 242; A.B. 470, 567; A.C.R. 14	624
On passage of S.B. 764	642
On A.J.R. 24	665
On A.J.R. 23 and 4; A.C.R. 16	665
On concurrence in A.B. 32	665
On passage of A.B. 501; S.B. 250, 257, 694, 436, 437	692
On passage of A.B. 681, 676, 700; S.B. 313, 110, 438, 88	717
On refusing passage to S.B. 57	717
On passage of S.B. 3, 529	718
On passage of S.B. 34	758
On passage of S.B. 75, 46	792
On receding from amendments to S.B. 529	792
On passage of A.B. 695, 15	792
On adoption of S.C.R. 8	805
On refusing passage to S.B. 8, 325, 151, 150	815
On passage of A.B. 627, 960, 114, 605; S.B. 607, 20, 121, 422, 347; A.J.R. 9	816
On refusal to concur in amendments to A.B. 617	816
On passage of S.B. 369	862
On conference committee on A.B. 617	862
On passage of A.B. 982, 218; A.J.R. 12; A.C.R. 18	863
On passage of A.B. 711, 725, 461; S.C.R. 7; A.C.R. 10	864
On passage of A.B. 600, 616, 172, 834; S.B. 291, 431, 239	864
On passage of A.B. 981	865
On concurring in amendments to A.B. 553	886
On passage of S.B. 201, 193, 184, 6, 417, 195	886
On passage of S.B. 55, 182, 504	887
On passage of S.B. 281, 519, 229, 152, 570	888
On passage of A.B. 152, 714; S.B. 462, 514, 42, 119	900
On passage of A.B. 540, 439, 913, 624; S.B. 100	901
On passage of A.B. 889, 246, 599, 601, 587, 829, 221, 171, 19, 879, 877, 91, 708, 709	919
On passage of S.B. 426, 148, 331, 772, 327	920
On passage of A.B. 337, 335, 542, 433, 148, 198, 90, 591, 353, 568	921
On refusing to adopt report of Conference Committee on A.B. 617	922
On passage of S.B. 349, 290, 221, 36	931
On passage of A.B. 875, 606	932
On passage of A.B. 1019, 418, 399, 669	941
On refusal to recede from amendments to S.B. 327	941
On passage of A.B. 120, 140, 314, 245; A.C.A. 31; S.B. 124	943
On refusal to pass S.B. 192	943
On passage of A.B. 580	951
On passage of A.B. 959	952
On passage of A.B. 953	958
On S.B. 550	959
On refusal to concur in amendments to A.B. 132	959
On A.B. 676	959
On passage of Substitute for S.B. 45, 52, 54, 77	960
On concurrence in amendments to A.B. 361, 681	960
On passage of S.B. 104, 212, 213, 675	960
On passage of A.B. 6	961
On passage of A.B. 262, 412, 592, 827	975
On passage of A.B. 961; S.B. 633, 208, 388	976
On passage of A.B. 241, 187, 665, 934, 917, 832, 219, 682, 772	1009
On passage of S.B. 162; A.B. 618, 149, 225, 168	1010
On adoption of resolution relative to S.B. 369	1011
On appointment of Conference Committee on A.B. 132	1028
On reconsideration of S.B. 349	1028
On passage of A.B. 564, 702, 1021, 25, 259, 349, 506, 280, 945, 937	1029
On passage of A.B. 355, 273	1040
On passage of A.B. 354, 484, 320; S.B. 129, 780	1041
On passage of A.B. 798, 799, 801; S.B. 550, 885	1047
On passage of S.B. 709	1048
On refusal to concur in Senate amendments to A.B. 392	1048
On passage of S.B. 194, 630, 648, 647, 53, 59, 558, 248	1066
On passage of A.B. 370, 434, 664, 58, 249, 529, 485	1066
On concurrence in Senate amendments to A.B. 953	1066

ASSEMBLY MESSAGES—Continued.

PAGE.

On return of A.B. 484	1066
On passage of A.B. 210	1067
On adoption of Conference Committee report on, and passage of A.B. 617 (General Appropriation Bill)	1076
On passage of S.B. 369	1076
On refusal to pass S.B. 153	1077
On passage of S.B. 705, 199, 270	1077
On adoption of S.C.R. 12	1077
On refusal to adopt S.C.A. 16, 3	1077
On adoption of A.C.A. 49	1077
On passage of A.B. 512, 734, 224	1078
On passage of A.B. 579	1093
On passage of A.B. 607, 1013	1094
On passage of A.B. 604, 757, 736, 575, 701, 413, 479; Sub. for A.B. 449	1110
On passage of S.B. 646, 95, 473, 627	1110
On refusal to pass S.B. 60	1111
On passage of A.B. 609; S.B. 887	1111
On appointment of Committees of Free Conference on A.B. 132 and 327	1116
On passage of A.B. 751, 954	1116
On adoption of A.C.A. 36, 20	1116
On passage of A.B. 903, 861, 694, 332, 897; S.B. 891; Sub. for S.B. 544	1117
On adoption of S.C.R. 11	1117
On receding from amendments to S.B. 705	1117
On passage of A.B. 495	1148
On refusal to concur in amendments to A.B. 470	1148
On receding from amendments to S.B. 327	1148
On passage of A.B. 921, 739, 1007, 402, 566, 125, 930, 907, 756, 823, 8-0	1149
On adoption of S.C.R. 18; A.C.R. 19	1169
On passage of S.B. 721, 275	1169
On concurrence in Senate amendments to A.B. 676, 461	1170
On passage of A.B. 15, 669	1170
On concurrence in Senate amendments to A.B. 982, 981	1170
On passage of A.B. 1002	1171
On adoption of S.C.A. 25	1171
On adoption of Conference Committee report on A.B. 959	1172
On concurrence in Senate amendments to A.B. 702	1172
On passage of A.B. 1026, 873; S.B. 846, 116, 448, 805, 147; Sub. for S.B. 391	1172
On refusal to pass S.B. 716, 70	1172
On adoption of S.C.A. 13	1172
On concurrence in Senate amendments to A.B. 221	1173
On refusal to pass S.B. 446, 289	1173
On passage of S.B. 349, 893; A.B. 391, 910	1173
On adoption of S.C.R. 9	1173
On A.B. 665, returned from Governor for correction	1174
On appointment of Conference Committee on A.B. 470	1174
On adoption of S.J.R. 17	1184
On passage of S.B. 332, 699, 653; A.B. 985, 994, 473	1184
On passage of S.B. 763, 587, 596, 329, 328, 330, 280, 782, 460, 752, 521, 707; Sub. for S.B. 2	1185
On refusing passage to S.B. 799, 715	1185
On passage of S.B. 223, 560, 806, 247, 739, 127	1186
On passage of A.B. 959 as amended	1187
On refusing second reading to S.B. 889, 376	1187
On passage of A.B. 324, 901, 308	1187
On returning A.B. 711, as per request	1187
On appointment of Committee of Conference on A.B. 392	1187
On refusing passage to S.B. 61	1188
On passage of A.B. 1025	1188
On requesting return of S.B. 70	1188
On appointment of Committee of Free Conference on A.B. 470	1190
On concurrence in Senate amendments to A.B. 176, 607	1191
On refusal to pass Sub. for S.B. 769, 800, 801, 802	1191
On adoption of A.C.A. 55	1191
On passage of S.B. 888, 798; Sub. for S.B. 539; A.B. 864	1191
On passage of S.B. 781, 70, 862, 106	1195
On refusing passage to S.B. 16, 853, 522	1199
On third reading of S.B. 523	1199
On passage of S.B. 843, 446, 424	1199
On concurrence in Senate amendments to A.B. 736	1200
On passage of S.B. 890, 762	1200
On passage of S.B. 89, 566, 233, 511	1202
On concurrence in Senate amendments to A.B. 1025	1202
On refusing passage to S.B. 72, 629	1202
On appointment of committee to wait on the Governor	1215

ASSEMBLY MESSAGES—Continued.	PAGE.
On adoption of A.C.R. 20	1215
On committee reporting no further messages	1219
ASYLUM, NAPA INSANE. Report of committee on	635
ATTACHES, LIST OF. Committee report	571-573
ATWOOD, H. R. Nominated Port Warden, San Francisco; vice A. J. Martin	1209
Confirmed as Port Warden, San Francisco	1211
AYES AND NOES. On joint convention	6, 8
On election of Chaplain	7
On Assistant Bookkeeper to Sergeant-at-Arms—Casey	8
On Second Assistant Enrolling Clerk—Marston	9
On First Assistant Enrolling Clerk—Gleaves	9
On Assistant Journal Clerk—Larkin	9
On Assistant Journal Clerk—Ortega	9
On Assistant Enrolling Clerk—McKoon	9
On Ushers	10
On Second Assistant Minute Clerk—Porter	10
On Assistant Engrossing Clerk—True	10
On First Assistant Minute Clerk—MacMullan	10
On Assistant Engrossing Clerk—Henry	11
On Assistant Engrossing Clerk—Rose	11
On Watchman—Scott	11
On seven Watchmen	11
On Assistant Journal Clerk—Williams	12
On Gatekeeper—Brown	12
On Second Assistant Bookkeeper—Tuohy	12
On Messenger to State Printer—Kean	12
On Assistant Enrolling Clerk—Fuller	12
On History Clerk—White	13
On Assistant Sergeant-at-Arms—Newman	13
On Assistant Enrolling Clerk—Murphy	13
On Assistant Engrossing Clerk—Harrison	13
On three Porters	14
On Assistant Journal Clerk—Fairchild	14
On Assistant Engrossing Clerk—Hart	14
On Bill Clerk—Calkins	14
On Gatekeepers	14
On Pages	15
On Assistant Minute Clerk—Falk	15
On Mailing and Folding Clerk—Klein	15
On Doorkeeper—Flynn	15
On Third Assistant Secretary of the Senate—Pardee	16
On Assistant Bill Clerk—Taylor	16
On Assistant Register and File Clerk—Leon	16
On Second Assistant Bill Clerk—Baker	16
On Janitress—Weller	17
On Porter for cloak-room—Edwards	17
On Mail Carrier—Hanford	17
On Register and File Clerk—McComas	17
On Messenger to Sergeant-at-Arms	17
On individual contingent allowance	18
On Assistant History Clerk—M. Barnes	18
On confirmation of Francis L. Haynes	37
On confirmation of Andrew Mullin	38
On confirmation of F. E. Dornfeld	38
On confirmation of W. W. Stewart	38
On confirmation of James W. Semmie	38
On confirmation of W. F. Knox, Jr.	39
On confirmation of F. S. Chadbourne	39
On confirmation of Joseph Steffens	39
On confirmation of A. J. Ralston	39
On confirmation of A. P. Overton	40
On confirmation of Robt. A. Poppe	40
On confirmation of W. C. Patterson	40
On Electrician—Mitchell	41
On Bookkeeper to Sergeant-at-Arms—Pedlar	41
On confirmation of John Dillingham	41
On A.C.R. 1	42
On A.C.R. 2	42
On A.C.R. 3	45
On report of special committee	49
On resolution by Ford, relative to contingent expenses	50
On resolution relating to Henning's Codes	53
On resolution by Orr	59
On appropriation for Lieutenant-Governor Reddick	92

AYES AND NOES—*Continued.*

	PAGE.
On motion by Mahoney, changing reference.....	93
On report of Committee on Attachés, etc.....	94
On resolution by Pedlar.....	97
On resolution by McGowan to purchase desks, etc.....	98
On resolution by Hart, appointing Bill Filer.....	98
On appointment of Assistant Mailing Clerk.....	101
On appointment of Page.....	101
On appointment of Messenger to Lieutenant-Governor.....	101
On appointment of Assistant Clerk to Committee on Education.....	102
On appointment of Assistant File Clerk.....	102
On appointment of Porter.....	102
On appointment of Chief Bill Clerk.....	102
On appointment of Assistant Secretary of Senate.....	102
On appointment of Clerk to San Francisco Delegation.....	103
On appointment of Porter to Sergeant-at-Arms.....	103
On report of committee.....	103
On appointment of Sergeant-at-Arms for San Francisco Delegation.....	103
On resolution by Aram.....	107
On resolution by Withington.....	107
On report of committee.....	109
On resolution by Orr.....	109
On S.J.R. 1.....	117
On S.B. 197.....	117
On report of committee.....	120
On appropriation for purchase of Codes.....	121
On appointment of Assistant Messenger to State Printer.....	121
On A.B. 290.....	122
On urgency of S.B. 18.....	131
On amendment to A.B. 290.....	143
On A.B. 290, striking out enacting clause.....	144
On amendments to S.B. 197.....	145
On S.B. 18.....	147
On report of committee.....	150
On resolution by Seymour.....	154
On S.C.R. 3.....	163
On resolutions relating to Inaugural Ball.....	164
On report of committee.....	167
On appointment of G. A. Leon as Assistant Secretary.....	167
On payment of band, inauguration day.....	168
On resolution by Ford.....	182
On S.J.R. 4.....	185
On consideration of resolution.....	186
On resolution relative to investigations.....	187
On adoption of committee report.....	188
On urgency of S.B. 368.....	191
On passage of S.B. 368.....	192
On consideration of resolutions relating to Reilly Funding Bill.....	194
On previous question.....	194
On further consideration of Reilly Funding Bill.....	195
On motion to consider A.J.R. 2.....	198
On consideration of A.J.R. 2.....	199
On resolution by Androus.....	200
On commitment of resolution by Orr.....	200
On postponement of resolution by Ford.....	200
On adoption of A.C.R. 6.....	201
On passage of S.B. 286.....	201
On purchase of desk for Secretary.....	202
On adoption of committee report.....	204
On paying I. M. Terrill as Gatekeeper.....	205
On motion to lay on the table.....	205
On substitute by McGowan.....	212
On resolution by McGowan.....	213
On urgency of A.B. 450.....	215
On resolution by Earl.....	215
On passage of A.B. 450.....	216
On S.C.R. 4.....	220
On leave of absence for sub-committee.....	221
On resolution directing Attorney-General to prepare bill.....	221
On passage of S.B. 22.....	232
On amendment to A.C.R. 7.....	234
On A.C.R. 7.....	234
On sundry items of expense.....	239
On S.J.R. 2.....	250
On resolution by Langford.....	257

AYES AND NOES—*Continued.*

	PAGE.
On S.C.R. 5	263
On committee report	270
On S.C.R. 6	309
On urgency of A.B. 1	332
On passage of A.B. 1	333
On urgency of S.B. 373	342
On passage of S.B. 373	342
On adoption of report of committee	345
On S.C.A. 8	353
On S.C.A. 3	354
On S.C.A. 11	355
On adoption of report of committee	356
On adoption of S.C.A. 16	356
On S.B. 28	357
On S.B. 198	357
On recommitment of S.B. 15	357
On passage of S.B. 122	357
On passage of S.B. 1	358
On passage of S.B. 51	358
On passage of S.B. 226	358
On passage of S.B. 207	359
On passage of S.B. 310	359
On passage of S.B. 228	360
On passage of S.B. 182	360
On passage of S.B. 155	360
On passage of S.B. 225	360
On passage of S.B. 55	361
On passage of S.B. 230	361
On passage of S.B. 196	362
On adoption of resolution by Smith	367
On passage of S.B. 81	369
On resolution by McGowan	374
On resolution by Hart	394
On resolution by Andrews	394
On passage of S.B. 429	395
On resolution by Hart	396
On motion to reconsider	401
On passage of S.B. 46	415
On adjournment	415
On report of committee	436
On confirmation of Henry F. Emeric	439
On passage of S.B. 431	442
On passage of S.B. 366	443
On passage of S.B. 291	443
On passage of S.B. 365	443
On passage of S.B. 327	443
On passage of A.B. 449	448
On passage of S.B. 88	448
On motion to reconsider	456
On change in standing rules	458
On adoption of A.C.A. 33	460
On amendment to S.C.A. 15	465
On passage of S.B. 57	469
On passage of S.B. 40	470
On passage of S.B. 91	470
On passage of S.B. 257	470
On passage of S.B. 24	470
On passage of S.B. 35	471
On passage of S.B. 250	472
On passage of S.B. 313	472
On passage of S.B. 8	473
On passage of S.B. 320	474
On resolution by Andrews	474
On suspension of the rules	475
On passage of S.B. 417	485
On passage of S.B. 325	485
On urgency of S.B. 44	486
On passage of S.B. 44	486
On adoption of committee report	488
On adoption of report of committee	491
On passage of S.B. 239	491
On resolution by Langford	493
On resolution by Hart	496
On report of committee	496

AYES AND NOES—*Continued.*

PAGE.

On passage of S.B. 242	498
On passage of S.B. 110	498
On passage of A.B. 9	500
On passage of S.B. 467	500
On urgency of sundry bills	504
On passage of S.B. 3	504
On report of special committee	508
On passage of S.B. 519	510
On passage of S.B. 694	511
On passage of S.B. 34	512
On passage of S.B. 607	512
On A.J.R. 13	513
On motion by Gleaves	513
On passage of S.B. 281	517
On passage of S.B. 150	527
On passage of S.B. 152	528
On passage of S.B. 529	528
On passage of S.B. 151	558
On passage of S.B. 436	528
On passage of S.B. 437	528
On passage of S.B. 75	529
On adoption of A.J.R. 20	531
On report of committee of one	564
On passage of S.B. 201	564
On urgency of S.B. 772, 764	565
On adoption of committee report	568
On appointment of Joseph Turner	568
On urgency of bills	570
On passage of S.B. 426	570
On urgency of S.B. 785	578
On passage of S.B. 785	578
On passage of A.B. 374	579
On passage of A.B. 11	580
On passage of A.B. 27	580
On passage of A.B. 14	581
On passage of A.B. 144	581
On passage of A.B. 145	581
On amendment by Gleaves	582
On motion by Withington	583
On motion to amend, by Smith	583
On amendment by Ford	584
On confirmation of E. L. Colnon as Harbor Commissioner, San Francisco	585
On passage of S.B. 764	585
On passage of S.B. 772	585
On adoption of report of committee	586
On motion to reconsider S.B. 239	588
On passage of S.B. 438	598
On passage of S.B. 121	598
On passage of S.B. 422	599
On passage of S.B. 15	601
On passage of S.B. 183	601
On passage of S.B. 184	602
On passage of S.B. 347	602
On amendment to A.B. 132	604
On passage of A.B. 28	604
On passage of A.B. 32	605
On passage of A.B. 29	605
On amendment to A.B. 35	606
On amendment to A.B. 248	608
On motion to lay on table	608
On urgency of A.B. 935	609
On passage of A.B. 935	609
On resolution by Gleaves	610
On passage of S.B. 462	613
On passage of S.B. 229	616
On passage of S.B. 20	616
On passage of S.B. 42	617
On motion to take up Assembly messages	619
On concurrence in A.C.R. 13	620
On passage of S.B. 504	621
On urgency of S.B. 148	622
On motion by Voorheis	623
On urgency of S.B. 687	624
On passage of S.B. 687	625

AYES AND NOES—*Continued.*

	PAGE.
On passage of S.B. 100	626
On passage of S.B. 221	626
On passage of S.B. 369	627
On passage of S.B. 192	627
On passage of Substitute for S.B. 195	629
On adoption of committee report	633
On committee report	638
On consideration of A.J.R. 19	639
On motion to adjourn	639
On motion to take recess	639
On A.J.R. 19	641
On reconsideration of A.J.R. 19	652
On adoption of A.J.R. 19	652
On transmission of A.J.R. 19	653
On passage of A.B. 4	653
On passage of A.B. 141	654
On passage of A.B. 10	655
On passage of A.B. 142	655
On passage of A.B. 174	655
On passage of A.B. 456	656
On adoption of committee report	660
On motion to reconsider S.B. 201	662
On report of special committee	663
On report of committee	663
On motion to postpone S.B. 36	675
On passage of S.B. 36	675
On passage of S.B. 570	679
On adoption of committee report	683
On substitution of W. W. Collins as Bookkeeper	683
On adoption of report of committee	684, 685
On call of the Senate	685
On passage of A.B. 35	686
On passage of A.B. 55	686
On passage of A.B. 75	687
On reconsideration of A.B. 142	687
On passage of A.B. 142	688
On reconsideration of A.B. 10	688
On passage of A.B. 10	688
On passage of S.B. 6	694
On amendment to S.B. 508	697, 698
On motion to amend A.B. 617 (General Appropriation Bill)	704, 705, 707, 728, 729, 766, 767
On motion to reconsider amendment to A.B. 617	704, 728, 767
On motion to reconsider State Fair appropriation (in A.B. 617)	707
On passage of S.B. 289	712
On passage of S.B. 514	713
On passage of S.B. 349	713
On suspension of the Constitution	713
On passage of S.B. 331	714
On passage of S.B. 119	714
On passage of S.B. 162	716
On reconsideration of amendment to S.B. 148	716
On passage of S.B. 148	717
On motion to concur in amendments to S.B. 529	718
On passage of A.B. 17	730
On passage of A.B. 452	730
On passage of A.B. 454	730
On suspension of the Constitution	735
On urgency of resolution by Ford	736
On motion by Simpson	736
On adoption of reports of committee	743
On motion to reconsider S.B. 36	748
On report of special committee	749
On passage of S.B. 124	749
On adoption of A.J.R. 8	750
On adoption of S.C.R. 7	750
On suspension of Constitution	755
On adoption of S.C.R. 9	756
On adoption of report of committee	757
On adoption of report of committee, relative to evening sessions	758
On passage of A.B. 135	759
On passage of A.B. 52	759
On passage of A.B. 213	760

AYES AND NOES—Continued.

PAGE.

On passage of A.B. 78	761
On adoption of A.J.R. 14	761
On passage of A.B. 501	762
On adoption of A.J.R. 23	762
On adoption of A.C.R. 14	763
On adoption of A.J.R. 11	763
On adoption of A.J.R. 17	764
On adoption of A.J.R. 16	764
On adoption of A.C.R. 11	765
On motion to appoint committee	766
On adoption of report of special committee	767
On report of special committee	768
On passage of S.B. 290	768
On adoption of S.C.R. 10	770
On adoption of S.C.R. 8	788
On passage of Substitute for S.B. 45, 52, 54, and 77	788
On reconsideration of S.C.R. 10	788
On passage of S.B. 550	793
On passage of S.B. 43	793
On passage of S.B. 630	794
On passage of S.B. 212	799
On passage of S.B. 213	800
On passage of S.B. 632	800
On passage of S.B. 104	800
On passage of S.B. 103	801
On passage of S.B. 647	801
On passage of S.B. 648	801
On passage of S.B. 675	801
On passage of A.B. 617	802
On passage of A.B. 553	803
On passage of A.B. 67	803
On passage of A.B. 50	803
On reconsideration of S.B. 632	814
On passage of A.B. 676	814
On passage of S.B. 669	822
On passage of S.B. 235	825
On passage of S.B. 438	825
On amendment to A.B. 681	826
On passage of A.B. 157	827
On passage of A.B. 271	827
On passage of A.B. 508	828
On adoption of A.J.R. 10	829
On passage of A.B. 132	830
On adoption of A.C.R. 16	831
On passage of S.B. 223	832
On report of special committee	834
On motion to amend S.B. 537	834
On motion to amend S.B. 852	835
On passage of S.B. 270	835
On passage of S.B. 627	838
On passage of Substitute for S.B. 544	839
On motion to reconsider A.B. 50	839
On passage of S.B. 208	839
On passage of S.B. 633	840
On passage of S.B. 388	841
On motion to reconsider S.B. 465	845
On adoption of report of special committee	847
On motion to amend report of committee	848
On suspension of the Constitution	851
On passage of S.B. 721	853
On passage of A.B. 117	860
On adoption of A.C.A. 7	862
On passage of S.B. 631	867
On adoption of Substitute for S.J.R. 8	867
On passage of S.B. 60	868
On passage of S.B. 709	868
On passage of S.B. 62	869
On passage of S.B. 61	869
On adoption of report of committee	872
On passage of S.B. 465	873
On urgency of S.B. 780	874
On passage of S.B. 780	875
On passage of S.B. 199	875

AYES AND NOES—*Continued.*

	PAGE.
On urgency of A.B. 695	875
On passage of A.B. 695	875
On passage of S.B. 153	879
On passage of S.B. 434	880
On passage of S.B. 53	882
On passage of S.B. 59	882
On passage of S.B. 646	882
On final passage of S.B. 194	882
On passage of S.B. 193	883
On passage of S.B. 402	883
On urgency of S.B. 846	885
On suspension of Constitution	886
On concurrence in Assembly amendment to S.B. 504	887
On concurrence in Assembly amendment to S.B. 182	887
On concurrence in Assembly amendment to S.B. 55	888
On motion to reconsider A.B. 695	890
On passage of A.B. 695	891
On report of special Committee of Conference on A.B. 617	891
On adoption of report of Conference Committee, with exceptions	892
On reconsideration of S.B. 465	892
On passage of S.B. 129	894
On motion by Orr, relative to S.B. 153	895
On reconsideration of S.B. 153	895
On suspension of the Constitution	897
On amendment to the rules	898
On passage of S.B. 473	899
On concurrence in Assembly amendments to S.B. 462	901
On urgency of S.B. 806	903
On passage of S.B. 248	904
On passage of S.B. 446	905
On passage of S.B. 596	905
On passage of S.B. 95	906
On passage of S.B. 558	908
On resolution by Mahoney	911
On adoption of report of committee	912
On suspension of the Constitution	912
On passage of S.B. 753	916
On passage of S.B. 705	916
On concurrence in Assembly amendment to S.B. 327	921
On urgency of A.B. 879	922
On passage of A.B. 879	922
On passage of S.B. 707	923
On passage of A.B. 248	924
On passage of A.B. 681	925
On passage of A.B. 361	925
On motion by Seawell	926
On adoption of A.C.A. 19	926
On passage of Substitute for S.B. 449	928
On passage of Substitute for S.B. 787	930
On concurrence in Assembly amendment to S.B. 290	931
On urgency of S.B. 885	935
On urgency of S.B. 830	936
On passage of Substitute for S.B. 2	936
On motion by Orr	937
On substitute by Orr	937
On motion to reconsider	937
On passage of S.B. 716	937
On passage of S.B. 521	938
On passage of S.B. 782	938
On passage of S.B. 147	939
On urgency of S.B. 862	940
On passage of S.B. 275	940
On passage of S.B. 871	942
On passage of S.B. 799	942
On suspension of the Constitution	944
On passage of S.B. 846	945
On motion by Aram	946
On urgency of A.B. 1019	947
On passage of A.B. 1019	947
On urgency of thirty-four bills	948
On adoption of S.C.R. 12	948
On motion to reconsider S.C.R. 12	949
On adoption of report of Committee of Free Conference	950
On passage of S.B. 89	952

AYES AND NOES—*Continued.*

	PAGE.
On passage of S.B. 699.....	953
On concurrence in Assembly amendments to S.B. 239.....	954
On motion to reconsider A.B. 248.....	955
On passage of A.B. 392.....	955
On adoption of amendment to A.B. 470.....	956
On motion to reconsider A.B. 470.....	956
On passage of S.B. 147.....	957
On motion to reconsider S.B. 147.....	957
On motion to recede from amendments to A.B. 132.....	959
On motion to reconsider A.B. 676.....	960
On passage of S.B. 715.....	966
On passage of S.B. 876.....	966
On passage of S.B. 448.....	968
On urgency of S.B. 662.....	969
On passage of S.B. 16.....	970
On passage of S.B. 805.....	970
On passage of S.B. 116.....	971
On motion to dispense with further proceedings, etc.....	972
On passage of Substitute for S.B. 391.....	972
On passage of S.B. 752.....	973
On passage of S.B. 70.....	973
On passage of S.B. 653.....	973
On adoption of S.J.R. 17.....	975
On passage of S.B. 460.....	977
On reconsideration of S.B. 391.....	977
On passage of S.B. 391.....	977
On reconsideration of S.B. 876.....	978
On reconsideration of S.B. 89.....	978
On amendments to A.B. 959.....	978
On adoption of amendment to A.B. 959.....	981
On amendment to A.B. 959.....	984
On resolution by Orr, relative to night session.....	988
On passage of S.B. 550.....	992
On passage of S.B. 875.....	995
On amendment to A.B. 959.....	1006
On amendment to A.B. 959.....	1007
On urgency of resolution by Earl.....	1011
On passage of A.B. 676.....	1012
On amendment to A.B. 526.....	1013
On passage of A.B. 526.....	1014
On reconsideration of S.B. 875.....	1014
On suspension of Constitution.....	1015
On urgency of S.B. 885, 539.....	1017
On passage of S.B. 885.....	1018
On passage of S.B. 526.....	1020
On passage of S.B. 72.....	1021
On passage of S.B. 566.....	1021
On passage of S.B. 806.....	1021
On passage of S.B. 247.....	1022
On passage of A.B. 889.....	1022
On passage of S.B. 733.....	1023
On passage of S.B. 367.....	1024
On passage of A.B. 335.....	1025
On passage of S.B. 560.....	1025
On passage of A.B. 542.....	1025
On passage of S.B. 527.....	1026
On passage of S.B. 587.....	1026
On passage of A.B. 353.....	1027
On passage of S.B. 843.....	1027
On adoption of S.C.R. 17.....	1032
On urgency of S.B. 809.....	1033
On passage of S.B. 763.....	1034
On passage of S.B. 127.....	1034
On sustaining Governor's veto of S.B. 207.....	1034
On urgency of S.B. 739 and 887.....	1038
On passage of S.B. 739.....	1038
On passage of S.B. 887.....	1038
On confirmation of Mrs. Adina Mitchell as Trustee of Whittier State School.....	1039
On urgency of resolution by Seymour.....	1042
On passage of A.B. 953.....	1042
On passage of A.B. 6.....	1043
On passage of A.B. 470.....	1043
On motions to amend A.B. 702.....	1044, 1045

AYES AND NOES—Continued.

	PAGE.
On motion to refer A.B. 702 to Judiciary Committee.....	1045
On motion to amend A.B. 702.....	1046
On passage of S.B. 512.....	1049
On passage of A.B. 917.....	1049
On passage of A.B. 829.....	1050
On passage of A.B. 934.....	1050
On passage of A.B. 624.....	1051
On passage of S.B. 280.....	1051
On passage of A.B. 171.....	1052
On passage of S.B. 332.....	1052
On passage of S.B. 330.....	1052
On passage of S.B. 328.....	1053
On passage of S.B. 329.....	1053
On S.B. 830.....	1058
On reconsideration of S.B. 527.....	1058
On S.B. 356.....	1062
On passage of A.B. 961.....	1063
On passage of A.B. 937.....	1063
On passage of S.B. 523.....	1064
On motion to defer action on S.B. 265.....	1064
On urgency of S.B. 891.....	1068
On passage of S.B. 891.....	1069
On passage of Substitute for S.B. 769, 800, 801, 802.....	1069
On passage of S.B. 376.....	1069
On passage of S.B. 106.....	1070
On concurrence in Assembly amendments to S.B. 709.....	1071
On passage of S.B. 887.....	1073
On urgency of resolution by Orr.....	1075
On passage of A.B. 665.....	1075
On concurrence in Assembly amendments to S.B. 369.....	1077
On concurrence in Assembly amendments to S.B. 705.....	1077
On motion to amend A.B. 526.....	1082
On amendments to A.B. 526.....	1082, 1083, 1084
On motion to recede from amendments to A.B. 392.....	1084
On passage of S.B. 853.....	1085
On passage of S.B. 889.....	1085
On passage of S.B. 888.....	1085
On reconsideration of S.B. 356.....	1085
On passage of S.B. 356.....	1086
On reconsideration of S.B. 512.....	1086
On passage of A.B. 587.....	1087
On concurrence in Assembly amendments to S.C.R. 12.....	1091
On passage of A.B. 959 as amended.....	1092
On confirmation of C. H. Davis as Port Warden at San Diego.....	1092
On confirmation of J. M. Morrison as Fish Commissioner.....	1092
On sustaining Governor's veto of S.B. 242.....	1093
On sustaining Governor's veto of S.B. 694.....	1093
On sustaining Governor's veto of S.B. 257.....	1093
On adoption of S.C.R. 11.....	1094
On urgency of A.B. 1013.....	1095
On passage of A.B. 1013.....	1096
On urgency of S.B. 761.....	1096
On urgency of S.B. 511.....	1097
On passage of S.B. 486.....	1098
On passage of S.B. 424.....	1099
On passage of A.B. 801.....	1099
On passage of S.B. 798.....	1100
On passage of S.B. 539.....	1100
On passage of S.B. 522.....	1101
On passage of S.B. 762.....	1102
On passage of A.B. 567.....	1103
On urgency of A.B. 799.....	1103
On passage of A.B. 799.....	1104
On motion to refer S.B. 861.....	1104
On adoption of report on S.B. 861.....	1104
On adjournment.....	1105
On urgency of resolution by Seymour, relative to twenty-five Assembly bills.....	1106
On motion to dispense with call of Senate.....	1107
On passage of S.B. 875.....	1108
On passage of A.B. 91.....	1108
On passage of S.B. 265.....	1108
On passage of S.B. 862.....	1109
On concurrence in Assembly amendments to S.B. 627.....	1111

AYES AND NOES—*Continued.*

	PAGE.
On urgency of resolution by Seymour.....	1112
On passage of A.B. 39.....	1113
On passage of A.B. 140.....	1115
On passage of A.B. 526.....	1116
On adoption of A.C.A. 6.....	1118
On passage of A.B. 461.....	1118
On passage of A.B. 834.....	1119
On passage of A.B. 114.....	1119
On suspension of Constitution.....	1119
On urgency of S.B. 892.....	1120
On passage of S.B. 892.....	1120
On urgency of A.B. 945.....	1121
On motion to dispense with call of Senate.....	1122
On adoption of A.C.A. 11.....	1122
On passage of A.B. 370.....	1137
On adoption of A.J.R. 9.....	1138
On passage of A.B. 714.....	1138
On passage of A.B. 246.....	1138
On adoption of report of Conference Committee on A.B. 959.....	1140
On motion by Orr to adopt committee report on A.B. 959, with certain excep- tions.....	1140
On passage of A.B. 19.....	1141
On passage of A.B. 399.....	1141
On passage of A.B. 148.....	1141
On passage of A.B. 798.....	1142
On passage of A.B. 708.....	1142
On passage of A.B. 120.....	1142
On passage of A.B. 669.....	1443
On passage of A.B. 710.....	1145
On adoption of S.C.A. 13.....	1145
On adoption of S.C.A. 25.....	1146
On passage of A.B. 198.....	1146
On passage of A.B. 877.....	1147
On passage of A.B. 601.....	1147
On passage of A.B. 599.....	1147
On passage of A.B. 694.....	1148
On passage of A.B. 757.....	1148
On urgency of resolution by Bert.....	1150
On passage of A.B. 756.....	1150
On passage of A.B. 702.....	1151
On adoption of report of Committee on Attachés and Resolutions.....	1153
On receding from amendments to A.B. 470.....	1154
On striking out enacting clause of A.B. 960.....	1154
On motion to reconsider A.B. 470.....	1155
On refusing to recede from amendments to A.B. 470.....	1155
On adoption of report of Committee of Free Conference.....	1156
On passage of A.B. 609.....	1156
On suspension of Constitution.....	1156
On urgency of S.B. 893.....	1157
On passage of S.B. 893.....	1157
On adoption of A.C.R. 15.....	1158
On passage of A.B. 221.....	1158
On confirmation of A. Y. Trask as Pilot Commissioner.....	1159
On confirmation of John Hackett as Pilot Commissioner.....	1160
On confirmation of Philip Caduc as Pilot Commissioner.....	1160
On confirmation of Samuel Braunhart as Port Warden.....	1160
On confirmation of P. J. Harney as Port Warden.....	1161
On sustaining Governor's veto of S.B. 75.....	1161
On sustaining Governor's veto of S.B. 438.....	1162
On passage of A.B. 568.....	1163
On passage of A.B. 592.....	1163
On passage of A.B. 332.....	1163
On urgency of S.B. 233.....	1164
On passage of S.B. 233.....	1164
On passage of A.B. 575.....	1165
On passage of A.B. 664.....	1165
On consideration of S.B. 46.....	1165
On adoption of report of Committee of Free Conference on A.B. 132.....	1168
On motion to reconsider A.C.A. 6.....	1168
On adoption of A.C.A. 6.....	1169
On passage of A.B. 479.....	1169
On concurrence in Assembly amendments to S.B. 721.....	1170
On concurrence in Assembly amendments to S.B. 349.....	1173
On concurrence in action of Assembly on A.B. 665.....	1174

AYES AND NOTES—Continued.

PAGE.

On passage of A.B. 897.....	1175
On passage of A.B. 861.....	1175
On urgency of S.B. 629.....	1176
On passage of S.B. 629.....	1176
On urgency of A.B. 1026.....	1176
On passage of A.B. 218.....	1176
On passage of A.B. 418.....	1177
On passage of A.B. 606.....	1177
On passage of A.B. 262.....	1177
On passage of A.B. 412.....	1178
On call of the Senate.....	1178
On passage of A.B. 540.....	1178
On amendment to A.J.R. 4.....	1179
On adoption of A.J.R. 4.....	1179
On passage of A.B. 176.....	1179
On passage of A.B. 1021.....	1180
On passage of A.B. 280.....	1180
On passage of A.B. 1026.....	1180
On passage of A.B. 772.....	1180
On adoption of S.J.R. 15.....	1181
On passage of A.B. 832.....	1181
On passage of A.B. 580.....	1181
On passage of A.B. 875.....	1182
On appointment of E. J. Niles as Assistant Journal Clerk, etc.....	1184
On passage of A.B. 930.....	1184
On concurrence in Assembly amendments to S.B. 782.....	1185
On passage of S.B. 781.....	1187
On concurrence in Free Conference amendments to A.B. 959.....	1187
On passage of A.B. 607.....	1188
On motion for call of the Senate.....	1189
On passage of A.B. 736.....	1189
On passage of A.B. 907.....	1190
On passage of A.B. 413.....	1192
On passage of S.B. 511.....	1192
On adoption of committee report.....	1193
On adoption of resolution relative to index to bills.....	1194
On passage of A.B. 701.....	1194
On passage of A.B. 529.....	1194
On resolution relative to R. A. May.....	1195
On concurrence in Assembly amendments to S.B. 862.....	1195
On passage of A.B. 880.....	1196
On passage of A.B. 249.....	1196
On passage of A.B. 512.....	1196
On passage of A.B. 954.....	1197
On passage of A.B. 903.....	1197
On passage of A.B. 391.....	1197
On adoption of resolution relative to Hugh M. Burke.....	1198
On passage of A.B. 58.....	1198
On urgency of A.B. 1025.....	1198
On passage of A.B. 1025.....	1199
On concurrence in Assembly amendments to S.B. 843.....	1200
On passage of A.B. 1002.....	1200
On passage of A.B. 734.....	1201
On passage of A.B. 433.....	1202
On call of Senate.....	1205
On further proceedings under call of Senate.....	1206
On motion to take recess.....	1206
On resolution by Androus.....	1207
On resolution by Androus relative to J. F. Knapp.....	1207
On reimbursing Bookkeeper to Sergeant-at-Arms.....	1207
On sustaining Governor's veto of S.B. 239.....	1209
On confirmation of H. C. Gesford as Insurance Commissioner.....	1210
On confirmation of Nelson Provost as Port Warden, San Francisco.....	1210
On confirmation of H. R. Atwood as Port Warden, San Francisco.....	1211
On confirmation of Robert Fitzgerald as Prison Director.....	1211
On appointment of committee to wait upon the Governor.....	1212
On resolution to pay stenographer.....	1214
On adoption of A.C.R. 20, relative to Governor Peter H. Burnett.....	1216

B

BALLOTS. On election of United States Senator.....	141, 142
BEARD, J. L. Appeared and qualified.....	1
Appointed on committees.....	42, 68, 1218
Bills introduced.....	69, 114, 135, 231, 246, 319, 469, 504, 647, 944

	PAGE.
BEARD, J. L. Leave of absence.....	416, 769, 959
Resolutions.....	8, 146, 154, 474, 537, 944, 1016
Withdrawal of bill.....	319
BERKELEY CHARTER.....	771
BERT, E. F. Appeared and qualified.....	1
Appointed on committees.....	42, 68, 131, 980
Bills introduced.....	69, 70, 106, 107, 111, 112, 125, 136, 153, 161, 173, 230, 349, 406, 407, 408, 410, 596, 604, 670
Explanation of vote on H. C. Gesford as Insurance Commissioner.....	1210
Leave of absence.....	416, 498, 530, 758, 771
Petitions.....	364, 519
Resolutions.....	10, 13, 36, 96, 98, 718, 1150, 1175, 1183
Withdrawal of S.C.A. 10.....	173
BIGGY, W. J. Appointed on committees.....	55, 68, 131, 980
Bills introduced.....	70, 75, 503, 576, 672
Explanation of vote.....	222
Leave of absence.....	748, 771, 813, 1079
Personal statement.....	1046
Resolutions.....	90, 188, 922
BLACKBURN, LESLIE F. Elected Sergeant-at-Arms.....	3
BLANCHARD, MRS. ANNIE L. Elected Assistant Postmistress.....	5
BOGGS, JOHN. Vote received for United States Senator.....	141, 142
BOOTH, ANDREW GEORGE. Placed in nomination for United States Senator.....	140
Vote received for United States Senator.....	141, 142
BOWERS, W. W. Vote received for United States Senator.....	145
BRANDON, FRANK J. Elected Secretary of Senate.....	3
BRAUNHART, SAMUEL. Nominated as Port Warden.....	1159
Confirmed as Port Warden.....	1160
BRUCE, J. H. Succeeded as Pilot Commissioner by Philip Caduc.....	1159
BURKE, BART. Appointed on committees.....	68, 131, 1086, 1212, 1218
Bills introduced.....	104, 110, 208, 407, 423, 501, 735
Explanation of vote.....	222
Leave of absence.....	525, 563, 771, 898, 912
Resolutions.....	131, 1112
Vote received for United States Senator.....	141, 142
BURNETT, GOVERNOR PETER H. Resolution of respect adopted.....	1216
BYRON, GEORGE. Report of committee on appointment of.....	102
C	
CADUC, PHILIP. Nominated as Pilot Commissioner.....	1159
Confirmed as Pilot Commissioner.....	1160
CALDERWOOD, SAMUEL H. Nominated for Page to Sergeant-at-Arms.....	174
Report of committee.....	190
CARR, T. K. To be Sergeant-at-Arms of Judiciary Committee.....	92
Report adopted.....	94
CATOR, T. V. Vote received for United States Senator.....	145
CHADBOURNE, F. S. Appointed Harbor Commissioner, San Francisco.....	37
Confirmed by Senate.....	39
CHARTERS. Berkeley.....	771-787
Eureka.....	279-309
Oakland, amendments to.....	219-220
CIVIC FEDERATION. Telegram from.....	492
CLARK, CHAUNCEY. To be Assistant Secretary.....	97
Report of committee on appointment of.....	101
CODES, AMENDMENTS TO.	
CIVIL CODE—	
Sec. 7, relating to legal holidays.....	1053
Sec. 47, relating to libel and slander.....	1187
Sec. 48, relating to libel and slander.....	1187
Sec. 55, relating to marriages.....	470, 1103
Sec. 57, relating to marriages.....	1103
Sec. 68, relating to marriages.....	470, 1103
Sec. 75, relating to marriages.....	470, 1103
Sec. 224, relating to adoption of children.....	362
Sec. 297, relating to incorporation.....	360
Sec. 324, relating to transfer of stock of corporation.....	1114
Sec. 492, relating to elevated and underground railroad tracks.....	1023
Sec. 493, relating to elevated and underground railroad tracks.....	1023
Sec. 499, relating to fares on street railroads.....	1150
Sec. 501, relating to fares on street railroads.....	1150
Sec. 616, relating to cemeteries.....	1165
Sec. 649, relating to colleges.....	473
Sec. 653, relating to education.....	361

CODES, AMENDMENTS TO, CIVIL CODE—*Continued.*

	PAGE.
Sec. 717, relating to leases of agricultural lands.....	1052
Sec. 1093, relating to conveyances of real property by married women.....	504
Sec. 1094, relating to powers of attorney by married women.....	605
Sec. 1207, relating to copies of records.....	498
Sec. 1859, relating to liability of innkeepers.....	655
Sec. 1860, relating to liability of innkeepers.....	655
Sec. 2939, relating to mortgages.....	580
Sec. 2955, relating to mortgages.....	760
Sec. 3002, relating to notice of sale to a pledgor.....	470
Sec. 3010, relating to pledged property.....	471
Sec. 3051, relating to personal property.....	1164
Sec. 3440, relating to transfer of personal property.....	653
Sec. 3442, relating to fraudulent instruments and transfers.....	882
Sec. 3449, relating to assignments.....	882
Sec. 3468, relating to assignments.....	882

CODE OF CIVIL PROCEDURE—

Sec. 10, relating to legal holidays.....	1053
Sec. 134, relating to legal holidays.....	1053
Sec. 276, relating to examination of applicants to practice law.....	369, 602
Sec. 348, relating to limitation of actions.....	581
Sec. 394, relating to commencement of actions.....	1194
Sec. 527, relating to injunctions.....	512
Sec. 581, relating to civil actions.....	358
Sec. 670, relating to what papers constitute a judgment roll.....	654
Sec. 671, relating to lien of judgments.....	604
Sec. 685, relating to execution of judgments.....	605
Sec. 738, relating to claims to property.....	853
Sec. 750, relating to real and personal property.....	511
Sec. 954, relating to dismissal of appeals.....	761
Sec. 960, relating to dismissal of appeals.....	1103
Sec. 1054, relating to time within which an act is to be done.....	201
Sec. 1222, relating to judgments in contempt cases.....	686
Sec. 1238, relating to right of eminent domain.....	713
Sec. 1582, relating to civil actions by executors.....	882
Sec. 1691, relating to discharge of administrators.....	1051
Sec. 1699, relating to compensation of trustees.....	759
Sec. 1735, relating to letters of administration.....	602
Sec. 1736, relating to condition of the estate.....	601
Sec. 1739, relating to estates.....	360
Sec. 1774, relating to Public Administrators.....	360
Sec. 1799, relating to the discharge of guardians.....	581

PENAL CODE—

Sec. 40, relating to election laws.....	1098
Sec. 94, relating to judicial officers.....	360
Sec. 99, relating to Superintendent of State Printing.....	679
Sec. 215, relating to poisoning of animals.....	905
Sec. 310, relating to closing of barber shops, etc.....	838
Sec. 402, relating to disposition of cigarettes.....	361
Sec. 487, relating to grand larceny.....	357
Sec. 502½, relating to mortgaged property.....	880
Sec. 515, relating to embezzlement.....	470
Sec. 537, relating to defrauding hotel proprietors.....	835
Sec. 626, relating to fish and game.....	1163
Sec. 626a, relating to fish and game.....	1163
Sec. 626b, relating to fish and game.....	1163
Sec. 626c, relating to fish and game.....	1163
Sec. 626d, relating to fish and game.....	1163
Sec. 626e, relating to fish and game.....	1163
Sec. 626f, relating to fish and game.....	1163
Sec. 626g, relating to fish and game.....	1163
Sec. 626h, relating to fish and game.....	1163
Sec. 626i, relating to fish and game.....	1163
Sec. 627, relating to fish and game.....	1163
Sec. 627a, relating to fish and game.....	1163
Sec. 627b, relating to fish and game.....	1163
Sec. 627c, relating to fish and game.....	1163
Sec. 627d, relating to fish and game.....	1163
Sec. 628, relating to fish and game.....	1163
Sec. 628a, relating to fish and game.....	1163
Sec. 629, relating to fish and game.....	1163
Sec. 631, relating to fish and game.....	1163
Sec. 632, relating to fish and game.....	1163
Sec. 632a, relating to fish and game.....	1163
Sec. 632b, relating to fish and game.....	1163

CODES, AMENDMENTS TO. PENAL CODE—Continued.

PAGE.

Sec. 633, relating to fish and game	1163
Sec. 634, relating to fish and game	1163
Sec. 635, relating to fish and game	1163
Sec. 636, relating to fish and game	1163
Sec. 654a, relating to tramps and vagrants	957
Sec. 731, relating to suppression of riots	1137
Sec. 734, relating to suppression of riots	1137
Sec. 1089, relating to substitute jurors	839
Sec. 1090, relating to substitute jurors	839
Sec. 1243, relating to appeals	937

POLITICAL CODE—

Sec. 10, relating to legal holidays	1052
Sec. 416, relating to fees collected by the Secretary of State	759
Sec. 472, relating to deputies in the office of the Attorney-General	1130
Sec. 475, relating to clerks in the office of the Attorney-General	1177
Sec. 531, relating to Superintendent of State Printing	679
Sec. 532, relating to Superintendent of State Printing	679
Sec. 539, relating to enrollment of bills	1180
Sec. 752, relating to Clerk of Supreme Court	581
Sec. 791, relating to the appointment of Notaries Public	1114
Sec. 1075, relating to City and County Boards of Election Commissioners	1025
Sec. 1076, relating to City and County Boards of Election Commissioners	1025
Sec. 1077, relating to City and County Boards of Election Commissioners	1025
Sec. 1078, relating to City and County Boards of Election Commissioners	1025
Sec. 1079, relating to City and County Boards of Election Commissioners	1025
Sec. 1080, relating to City and County Boards of Election Commissioners	1025
Sec. 1094, relating to registration of voters	1169
Sec. 1096, relating to registration of voters	1169
Sec. 1113, relating to registration of voters	1169
Sec. 1114, relating to registration of voters	1169
Sec. 1115, relating to registration of voters	1169
Sec. 1116, relating to registration of voters	1169
Sec. 1142, relating to elections	1022
Sec. 1192, relating to elections	1022
Sec. 1199, relating to elections	1022
Sec. 1203, relating to elections	1022
Sec. 1204, relating to elections	1022
Sec. 1207, relating to elections	1022
Sec. 1208, relating to elections	1022
Sec. 1211, relating to elections	1022
Sec. 1258, relating to elections	1022
Sec. 1489, relating to public schools	945
Sec. 1503, relating to public schools	945
Sec. 1517, relating to public schools	945
Sec. 1521, relating to public schools	945
Sec. 1543, relating to public schools	945
Sec. 1551, relating to public schools	945
Sec. 1552, relating to public schools	945
Sec. 1575, relating to public schools	945
Sec. 1576, relating to public schools	945
Sec. 1594, relating to public schools	945
Sec. 1617, relating to public schools	945
Sec. 1670, relating to high schools	1163
Sec. 1671, relating to high schools	1163
Sec. 1713, relating to public schools	945
Sec. 1770, relating to public schools	945
Sec. 1773, relating to public schools	945
Sec. 1775, relating to public schools	945
Sec. 1830, relating to public schools	945
Sec. 1880, relating to public schools	625, 938, 945
Sec. 1882, relating to public schools	945
Sec. 1884, relating to public schools	938, 945
Sec. 1885, relating to public schools	945
Sec. 1886, relating to public schools	938
Sec. 1912, relating to National Guard	1130
Sec. 1919, relating to National Guard	1130
Sec. 1923, relating to National Guard	1130
Sec. 1929, relating to National Guard	1130
Sec. 1932, relating to National Guard	1130
Sec. 1942, relating to National Guard	1130
Sec. 1962, relating to National Guard	1130
Sec. 1970, relating to National Guard	1130
Sec. 1980, relating to National Guard	1130
Sec. 1983, relating to National Guard	1130

CODES, AMENDMENTS TO. POLITICAL CODE—Continued.

	PAGE.
Sec. 1984, relating to National Guard.....	1130
Sec. 1985, relating to National Guard.....	1130
Sec. 1987, relating to National Guard.....	1130
Sec. 1988, relating to National Guard.....	1130
Sec. 1989, relating to National Guard.....	1130
Sec. 1990, relating to National Guard.....	1130
Sec. 1991, relating to National Guard.....	1130
Sec. 2003, relating to National Guard.....	1130
Sec. 2004, relating to National Guard.....	1130
Sec. 2005, relating to National Guard.....	1130
Sec. 2007, relating to National Guard.....	1130
Sec. 2022, relating to National Guard.....	1130
Sec. 2024, relating to National Guard.....	1130
Sec. 2027, relating to National Guard.....	1130
Sec. 2040, relating to National Guard.....	1130
Sec. 2048, relating to National Guard.....	1130
Sec. 2076, relating to National Guard.....	1130
Sec. 2083, relating to National Guard.....	1130
Sec. 2094, relating to National Guard.....	1130
Sec. 2218, relating to insane persons.....	358
Sec. 2349, relating to navigable streams and waters.....	1027
Sec. 2524, relating to duties of Harbor Commissioners.....	966
Sec. 2800, relating to purchase of toll roads by counties.....	940
Sec. 3004, relating to quarantine at the port of San Francisco.....	1128
Sec. 3009, relating to quarantine at the port of San Francisco.....	1128
Sec. 3010, relating to quarantine at the port of San Francisco.....	1128
Sec. 3013, relating to quarantine at the port of San Francisco.....	1128
Sec. 3014, relating to quarantine at the port of San Francisco.....	1128
Sec. 3015, relating to quarantine at the port of San Francisco.....	1128
Sec. 3016, relating to quarantine at the port of San Francisco.....	1128
Sec. 3017, relating to quarantine at the port of San Francisco.....	1128
Sec. 3018, relating to quarantine at the port of San Francisco.....	1128
Sec. 3019, relating to quarantine at the port of San Francisco.....	1128
Sec. 3020, relating to quarantine at the port of San Francisco.....	1128
Sec. 3029, relating to quarantine at the port of San Francisco.....	1128
Sec. 3398, relating to United States Land Office.....	891
Sec. 3446, relating to the formation of reclamation districts.....	1101
Sec. 3481, relating to division of swamp land.....	498
Sec. 3482, relating to division of swamp land.....	498
Sec. 3491, relating to election of trustees of reclamation districts.....	1069
Sec. 3607, relating to revenue and taxes.....	1132
Sec. 3617, relating to revenue and taxes.....	1132
Sec. 3628, relating to revenue and taxes.....	1132
Sec. 3630, relating to revenue and taxes.....	1132
Sec. 3640, relating to revenue and taxes.....	1132
Sec. 3650, relating to revenue and taxes.....	1132
Sec. 3651, relating to revenue and taxes.....	1132
Sec. 3653, relating to revenue and taxes.....	1132
Sec. 3654, relating to revenue and taxes.....	1132
Sec. 3655, relating to revenue and taxes.....	1132
Sec. 3656, relating to revenue and taxes.....	1132
Sec. 3658, relating to revenue and taxes.....	1132
Sec. 3661, relating to revenue and taxes.....	1132
Sec. 3662, relating to revenue and taxes.....	1132
Sec. 3663, relating to revenue and taxes.....	1132
Sec. 3666, relating to revenue and taxes.....	1132
Sec. 3667, relating to revenue and taxes.....	1132
Sec. 3670, relating to revenue and taxes.....	1132
Sec. 3678, relating to delinquent taxes.....	500
Sec. 3678, relating to revenue and taxes.....	1132
Sec. 3680, relating to revenue and taxes.....	1132
Sec. 3692, relating to revenue and taxes.....	1132
Sec. 3693, relating to revenue and taxes.....	1132
Sec. 3694, relating to revenue and taxes.....	1132
Sec. 3704, relating to revenue and taxes.....	1132
Sec. 3705, relating to revenue and taxes.....	1132
Sec. 3713, relating to the levy of taxes.....	1199
Sec. 3714, relating to revenue and taxes.....	1132
Sec. 3719, relating to revenue and taxes.....	1132
Sec. 3728, relating to revenue and taxes.....	1132
Sec. 3730, relating to revenue and taxes.....	1132
Sec. 3731, relating to revenue and taxes.....	1132
Sec. 3732, relating to revenue and taxes.....	1132
Sec. 3733, relating to revenue and taxes.....	1132

CODES, AMENDMENTS TO, POLITICAL CODE—*Continued.*

PAGE.

Sec. 3734, relating to revenue and taxes	1132
Sec. 3736, relating to revenue and taxes	1132
Sec. 3737, relating to revenue and taxes	1132
Sec. 3738, relating to revenue and taxes	1132
Sec. 3746, relating to revenue and taxes	1132
Sec. 3747, relating to revenue and taxes	1132
Sec. 3748, relating to revenue and taxes	1132
Sec. 3752, relating to revenue and taxes	1132
Sec. 3756, relating to revenue and taxes	1132
Sec. 3758, relating to revenue and taxes	1132
Sec. 3759, relating to revenue and taxes	1132
Sec. 3762, relating to revenue and taxes	1132
Sec. 3764, relating to revenue and taxes	1132
Sec. 3765, relating to delinquent taxes	500, 1132
Sec. 3766, relating to revenue and taxes	1132
Sec. 3767, relating to revenue and taxes	1132
Sec. 3768, relating to revenue and taxes	1132
Sec. 3770, relating to revenue and taxes	1132
Sec. 3771, relating to revenue and taxes	1132
Sec. 3772, relating to revenue and taxes	1132
Sec. 3773, relating to revenue and taxes	500, 1132
Sec. 3774, relating to revenue and taxes	500, 1132
Sec. 3775, relating to revenue and taxes	500, 1132
Sec. 3776, relating to revenue and taxes	500, 1132
Sec. 3777, relating to revenue and taxes	500, 1132
Sec. 3778, relating to revenue and taxes	500, 1132
Sec. 3779, relating to revenue and taxes	500, 1132
Sec. 3780, relating to revenue and taxes	500, 1132
Sec. 3781, relating to revenue and taxes	500, 1132
Sec. 3782, relating to delinquent taxes	500
Sec. 3783, relating to delinquent taxes	500
Sec. 3784, relating to delinquent taxes	500
Sec. 3785, relating to revenue and taxes	500, 1132
Sec. 3787, relating to revenue and taxes	1132
Sec. 3788, relating to revenue and taxes	500, 1132
Sec. 3789, relating to revenue and taxes	1132
Sec. 3790, relating to revenue and taxes	1132
Sec. 3793, relating to revenue and taxes	1132
Sec. 3797, relating to revenue and taxes	1132
Sec. 3799, relating to revenue and taxes	1132
Sec. 3800, relating to revenue and taxes	1132
Sec. 3801, relating to revenue and taxes	500, 1132
Sec. 3803, relating to revenue and taxes	1132
Sec. 3804, relating to revenue and taxes	1132
Sec. 3805, relating to revenue and taxes	1132
Sec. 3808, relating to revenue and taxes	1132
Sec. 3810, relating to revenue and taxes	1132
Sec. 3811, relating to revenue and taxes	1132
Sec. 3812, relating to revenue and taxes	1132
Sec. 3813, relating to revenue and taxes	500, 1132
Sec. 3814, relating to revenue and taxes	1132
Sec. 3815, relating to revenue and taxes	1132
Sec. 3816, relating to revenue and taxes	500, 1132
Sec. 3817, relating to revenue and taxes	500, 1132
Sec. 3818, relating to revenue and taxes	500, 1132
Sec. 3819, relating to revenue and taxes	1132
Sec. 3820, relating to revenue and taxes	1132
Sec. 3823, relating to revenue and taxes	1132
Sec. 3826, relating to revenue and taxes	1132
Sec. 3829, relating to revenue and taxes	1132
Sec. 3830, relating to revenue and taxes	1132
Sec. 3831, relating to revenue and taxes	1132
Sec. 3840, relating to revenue and taxes	1132
Sec. 3841, relating to revenue and taxes	1132
Sec. 3854, relating to revenue and taxes	1132
Sec. 3858, relating to revenue and taxes	1132
Sec. 3867, relating to revenue and taxes	1132
Sec. 3870, relating to revenue and taxes	1132
Sec. 3871, relating to revenue and taxes	1132
Sec. 3873, relating to revenue and taxes	1132
Sec. 3878, relating to revenue and taxes	1132
Sec. 3881, relating to revenue and taxes	1132
Sec. 3886, relating to revenue and taxes	1132
Sec. 3888, relating to revenue and taxes	1132

CODES, AMENDMENTS TO. POLITICAL CODE—Continued.	PAGE.
Sec. 3893, relating to revenue and taxes	1132
Sec. 3894, relating to revenue and taxes	1132
Sec. 3895, relating to revenue and taxes	1132
Sec. 3896, relating to revenue and taxes	1132
Sec. 3897, relating to revenue and taxes	1132
Sec. 3898, relating to revenue and taxes	1132
Sec. 3899, relating to revenue and taxes	1132
Sec. 3900, relating to revenue and taxes	1132
Sec. 4121, relating to county officers acting as attorneys	905
Sec. 4235, relating to Federal Courts	498
COLLINS, W. W. Confirmed as bookkeeper, etc.	683
COLNON, E. L. Appointed Private Secretary to Governor	54
Nominated Harbor Commissioner, San Francisco	584
Confirmed as Harbor Commissioner	585
COMMITTEE, SELECT. Majority and minority reports	150
COMMITTEE SUBSTITUTES. For S.B. 45, 52, 54, 77	375, 387
For S.B. 270	388
For S.B. 195	390
For S.B. 4, 190	750
COMMITTEES OF CONFERENCE. On A.B. 617	816, 857-859, 949
On A.B. 132	1036, 1056, 1168
On A.B. 392	1086, 1214
On S.B. 327	1116, 1120
On A.B. 959	1139, 1140, 1155
On A.B. 470	1196, 1208
COMMITTEES, SPECIAL	43, 47, 51, 253, 359, 1216
To notify Governor of organization	7
To confer with Governor-elect	42
On inaugural ball	55
On temporary rules	56
On joint rules	478
Report of, on attachés, etc.	570, 576
Report of, on California road policy	611
To investigate Biggy charges	1064, 1212
COMMITTEES, STANDING. Changes in	93, 100
REPORTS OF—	
Agriculture, Horticulture, Viniculture, and Viticulture	67, 70, 78, 79, 80, 85, 89, 106, 109, 110, 111, 123, 124, 125,
133, 149, 150, 152, 185, 208, 229, 231, 256, 361, 366, 367, 414, 419, 454, 473, 513, 515, 537,	
551, 577, 593, 634, 637, 640, 646, 647, 659, 669, 691, 755, 756, 811, 900, 910, 964, 1030, 1102	
Attachés, Contingent Expenses, and Mileage	48, 49, 68, 92, 94, 96, 97, 98, 99, 101, 109, 118, 119, 120, 129, 136, 137, 146, 149,
152, 153, 154, 164, 167, 174, 175, 188, 190, 191, 199, 205, 206, 216, 231, 239, 267, 270, 313,	
345, 351, 355, 373, 395, 396, 405, 419, 436, 441, 444, 454, 467, 475, 487, 496, 533, 537, 562,	
567, 570, 586, 587, 633, 638, 650, 658, 659, 660, 662, 668, 672, 673, 682, 709, 710, 711, 718,	
743, 757, 816, 817, 852, 872, 897, 898, 899, 911, 964, 994, 1031, 1149, 1151, 1153, 1193, 1201	
Banks and Banking	68, 80,
82, 89, 111, 114, 166, 240, 242, 245, 455, 482, 489, 525, 611, 666, 837, 932, 1029, 1042, 1101	
City, City and County, and Town Governments	68, 70, 72, 73, 77,
78, 79, 80, 88, 89, 93, 96, 100, 104, 111, 112, 124, 135, 152, 172, 173, 188, 193, 196, 210, 230,	
231, 240, 242, 244, 259, 273, 312, 315, 316, 318, 344, 348, 356, 362, 366, 400, 414, 415, 420,	
438, 439, 442, 452, 455, 467, 469, 489, 500, 503, 515, 524, 532, 559, 552, 577, 594, 596, 610,	
646, 660, 670, 671, 690, 701, 710, 745, 789, 792, 815, 870, 913, 921, 945, 964, 994, 1041, 1091	
Claims	68, 69, 70, 75, 79, 80, 81, 85, 100, 106, 124, 127, 135, 152, 153, 166,
169, 170, 175, 193, 195, 197, 202, 209, 210, 226, 230, 231, 244, 245, 252, 256, 259, 261, 273,	
344, 349, 367, 403, 438, 481, 495, 515, 592, 596, 637, 641, 647, 668, 680, 709, 745, 873, 963	
Commerce and Navigation	68, 93, 100, 106, 170, 319, 442, 532, 592, 637, 668, 670, 770, 1066
Constitutional Amendments	68, 75, 76, 96, 107, 115, 129, 162, 172,
173, 191, 205, 214, 257, 347, 396, 411, 420, 423, 438, 440, 449, 457, 459, 497, 514, 525, 532,	
552, 577, 593, 633, 666, 690, 702, 743, 790, 811, 831, 864, 872, 935, 943, 994, 1030, 1065, 1078	
Corporations	68, 69, 70, 72, 78, 79, 82, 104, 125, 146, 170, 187, 202, 231, 239, 244, 245, 252, 260, 263,
272, 346, 405, 422, 438, 453, 461, 475, 480, 495, 515, 523, 524, 594, 638, 668, 756, 943, 1182	
Counties and County Boundaries	68, 93, 197, 198, 395, 503, 523, 1074
County Government and Township Organization	68, 73, 74, 80, 83, 84, 86, 87, 88, 93, 95, 100, 103, 106, 172, 173, 193, 198, 202, 208, 259,
366, 374, 395, 401, 415, 436, 441, 450, 495, 523, 551, 576, 577, 645, 671, 680, 689, 744, 949	
Education and Public Morals	68, 98, 100, 105, 128, 153, 161, 166, 169, 207, 210, 234, 243, 254, 257, 261, 268, 269,
272, 312, 318, 343, 366, 408, 409, 420, 441, 444, 504, 515, 521, 523, 525, 536, 537, 569, 576,	
596, 621, 633, 646, 647, 660, 668, 669, 670, 757, 790, 814, 816, 837, 865, 918, 932, 1065, 1164	
Elections	68, 77, 78, 87, 100, 110, 120, 125, 135, 187, 226, 312, 315, 407, 489,
501, 523, 530, 533, 550, 567, 577, 611, 646, 648, 665, 669, 670, 685, 920, 921, 934, 1030, 1183	

COMMITTEES, STANDING. REPORTS OF—Continued.

PAGE.

Enrolled and Engrossed Bills	68, 188, 191, 224, 228, 247, 271, 364, 390, 409, 416, 433, 435, 444, 457, 484, 497, 509, 524, 550, 594, 611, 618, 629, 624, 641, 654, 686, 699, 734, 765, 802, 829, 852, 868, 869, 876, 877, 878, 892, 915, 923, 924, 927, 957, 971, 988, 1019, 1072, 1082, 1087, 1099, 1115, 1191, 1214, 1216
Federal Relations and Immigration	68, 71, 91, 115, 176, 226, 319, 325, 326, 347, 453, 481, 552, 553, 620, 665, 701, 710, 994
Finance	68, 69, 70, 71, 72, 76, 81, 82, 87, 89, 92, 94, 98, 100, 105, 114, 127, 133, 134, 136, 139, 146, 150, 161, 166, 169, 170, 171, 191, 197, 202, 207, 215, 226, 229, 230, 235, 237, 245, 246, 252, 255, 257, 260, 270, 271, 272, 315, 318, 338, 342, 345, 349, 365, 371, 395, 400, 403, 406, 409, 411, 417, 419, 420, 444, 452, 453, 454, 456, 457, 468, 469, 471, 481, 482, 488, 492, 495, 503, 520, 525, 530, 532, 552, 567, 577, 578, 579, 592, 593, 594, 595, 604, 609, 613, 630, 634, 637, 647, 654, 665, 666, 668, 680, 689, 699, 700, 701, 719, 727, 744, 746, 769, 790, 799, 816, 864, 865, 871, 873, 879, 885, 901, 902, 913, 915, 917, 920, 927, 932, 934, 941, 943, 945, 947, 949, 975, 993, 1009, 1030, 1037, 1065, 1068, 1101, 1119, 1143, 1166, 1183, 1188, 1198
Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game	68, 84, 90, 95, 96, 105, 111, 117, 165, 171, 315, 410, 423, 493, 638, 665, 672, 699, 864, 913, 1101
Harbors, Rivers, and Coast Defenses	68, 71, 74, 93, 243, 261, 264, 267, 313, 344, 455, 475, 624, 633, 886, 910, 932
Hospitals	68, 70, 73, 74, 82, 83, 89, 121, 133, 169, 227, 241, 272, 274, 312, 362, 365, 366, 411, 424, 455, 482, 488, 514, 576, 592, 634, 649, 702, 816, 873, 952, 1030, 1067, 1095
Irrigation and Water Rights	68, 79, 83, 88, 112, 171, 197, 259, 312, 420, 441, 495, 646, 648, 1041, 1078
Judiciary	68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 94, 95, 96, 104, 105, 106, 107, 110, 111, 112, 113, 114, 123, 124, 125, 126, 127, 128, 134, 135, 136, 138, 139, 146, 148, 149, 150, 151, 152, 153, 161, 162, 168, 169, 170, 171, 172, 175, 176, 187, 192, 194, 197, 198, 202, 207, 208, 214, 225, 226, 227, 228, 229, 230, 231, 234, 241, 242, 243, 244, 245, 246, 252, 256, 257, 258, 259, 260, 261, 262, 272, 273, 309, 310, 311, 312, 313, 314, 315, 318, 340, 345, 347, 348, 365, 366, 367, 374, 395, 401, 404, 406, 407, 408, 411, 414, 415, 420, 422, 423, 439, 440, 441, 444, 453, 455, 457, 466, 469, 480, 482, 489, 501, 503, 504, 509, 514, 515, 516, 521, 522, 523, 525, 532, 537, 538, 547, 551, 552, 568, 576, 582, 593, 596, 600, 613, 624, 638, 646, 647, 648, 666, 668, 670, 671, 672, 680, 700, 713, 735, 746, 748, 790, 850, 851, 852, 864, 872, 885, 910, 921, 933, 975, 1008, 1011, 1029, 1041, 1065, 1067, 1073, 1105, 1202
Labor and Capital	68, 76, 77, 81, 82, 110, 111, 138, 206, 241, 260, 262, 365, 366, 441, 525, 670, 688, 756, 935, 945, 994, 1029, 1078
Mines, Drainage, and Mining Debris	68, 84, 110, 111, 245, 259, 315, 397, 440, 478, 524, 921, 1183
Military Affairs	68, 77, 123, 134, 208, 273, 407, 418, 438, 523, 690, 708
Public Buildings other than Prison Buildings	68, 70, 71, 72, 79, 81, 82, 83, 84, 88, 100, 105, 106, 110, 127, 153, 202, 208, 227, 234, 235, 237, 241, 256, 371, 373, 403, 404, 408, 418, 419, 423, 452, 471, 484, 489, 514, 515, 521, 552, 595, 596, 620, 634, 659, 666, 672, 701, 710, 746, 864, 901, 902, 993, 1047
Public Printing	68, 611, 624, 902
Public and Swamp and Overflowed Lands	68, 86, 105, 107, 128, 150, 172, 193, 202, 230, 231, 239, 260, 261, 312, 366, 411, 438, 483, 501, 504, 524, 525, 530, 592, 670, 671, 701, 745, 769, 792, 816, 840, 900, 919, 935
Retrenchment and Public Expenditures	99, 103, 138, 167, 200, 229, 260, 273, 318, 365, 404, 427, 466, 482, 551, 698, 837
Roads and Highways	68, 93, 114, 146, 162, 176, 374, 403, 419, 423, 613, 666, 670, 816, 901, 918
State Library and Rules	68, 98, 99, 103, 107, 157, 191, 204, 257, 347, 348, 366, 437, 442, 481, 503, 521, 552, 690, 718, 757, 843, 848, 932, 948, 1037
State Prisons and Prison Buildings	68, 70, 76, 100, 114, 128, 152, 175, 197, 208, 244, 256, 348, 349, 364, 451, 457, 495, 503, 660, 700, 744
San Francisco Delegation	438, 442, 452, 504, 672, 690, 708, 1029, 1041, 1101, 1181
COMMUNICATION. From Attorney-General Fitzgerald	245
From the "San Francisco Examiner"	519
Relative to the Lubin proposition	549
From C. F. Bassett, Harbor Commissioner	591
From Times-Mirror Company, Los Angeles	752
COUNTIES. Population of	1001
CULLEN, JAMES. Assistant Messenger to State Printer	121

D

DAGGETT, JOHN. Vote received for United States Senator	141, 142, 145
DAVIS, CAPT. C. H. Nominated Port Warden at San Diego	1039
Confirmed as Port Warden at San Diego	1092
DENISON, E. S. Appeared and qualified	1
Appointed on committees	68, 1116, 1212
Bills introduced	70, 105, 272, 273, 414, 415, 577, 646
Leave of absence	264, 415, 416, 639, 759
Resolutions	10, 17, 96, 158

	PAGE.
DEYOE, MRS. D. J. To be Assistant Mailing Clerk	97
Report of committee on appointment	101
DEYOUNG, M. H. Placed in nomination for United States Senator	140
Vote received for United States Senator	141, 142, 145
DILLINGHAM, JOHN. Appointed Port Warden at San Diego	37
Confirmed as Port Warden at San Diego	41
DILLON, M. F. To be Assistant Secretary	158
DORNFELD, F. E. Appointed Pilot for Harbor of Santa Monica	37
Confirmed as Pilot Commissioner	38
DUNN, W. J. Appointed on committee	43, 68
Bills introduced	70, 105, 231
Leave of absence	416, 534, 640, 1143
DUNGAN, J. H. Elected Enrolling Clerk	4
DWYER, JOSEPH J. Vote received for United States Senator	141, 142

E

EARL, G. C. Appointed on committees	42, 51, 68, 93
Bills introduced	70, 71, 105, 123, 134,
170, 197, 230, 244, 261, 366, 411, 438, 444, 482, 489, 537, 576, 600, 668, 742, 852, 913, 945	
Excused from voting	608
Explanation of vote	222
Leave of absence	329, 363, 416, 533, 640, 674, 711, 800
Petitions	316, 367, 549, 754, 755
Resolutions	15, 16, 41, 97, 153, 154, 215, 219, 504, 851, 885, 912, 935, 1011, 1207
EARL, HARRY E. To be Porter to committee	129
Report of committee, relative to	190
ELLIOTT, ALBERT G. To be Page	97
EMERIC, HENRY F. Nominated and confirmed as Fish Commissioner	439
ENSIGN, E. J. Elected First Assistant Secretary	3
EUREKA CHARTER	279-309

F

FAY, JOHN. Appointed on committees	68
Bills introduced	71, 125, 129, 135, 152, 207, 208, 318, 348, 441, 504, 532, 538, 646, 671
Explanation of vote	222
Leave of absence	416, 640
Petitions	789, 917
Resolutions	99, 1213
FEEBLE-MINDED CHILDREN, HOME FOR. Report of committee	636
FELTON, CHARLES N. Placed in nomination for United States Senator	140
Name withdrawn	142
Vote received for United States Senator	141, 142
FINANCE COMMITTEE. Leave of absence	903
FITZGERALD, ROBERT. Nominated as Prison Director	1209
Confirmed as Prison Director	1211
FITZGERALD, W. F. Communication from	245
FLINT, THOMAS, JR. Appointed on committees	68
Appoints Pages and Porters	5
Bills introduced	71, 95, 112, 128, 170, 230, 246, 260, 318, 500, 672
Elected President pro tem.	2
Leave of absence	188, 1017
Petitions	120, 547, 884, 1068, 1119
President pro tem., address as	58
Presentation of gavel to	890
Qualifies as President pro tem.	5
Resolutions	530, 1032, 1038
Ruling on point of order on A.B. 248	651
FOOTE, W. W. Vote received for United States Senator	141, 142, 145
FORD, T. L. Appointed on committees	7, 51, 68, 1218
Bills introduced	71, 72, 95, 106, 114, 128, 135, 162, 176, 214, 229, 371, 444, 497, 530, 672, 755, 851, 852
Explanation of vote on confirmation of H. C. Gesford as Insurance Commissioner	1210
Leave of absence	415
Petitions	66, 450, 477, 519, 648
Resolutions	14, 15, 41, 55, 173, 182, 200, 351, 449, 658, 718, 735, 946, 965, 1095, 1195
FRANCK, F. C. Appeared and qualified	1
Appointed on committees	67, 68, 1218
Bills introduced	72, 135, 150, 171, 214, 245, 261, 348, 349, 366, 515, 552, 1157
Leave of absence	108, 119, 651
Petitions	403, 548
Resolutions	11, 50, 97, 98, 874, 923, 1156, 1157

G

	PAGE.
GESFORD, H. C. Appointed on committees	42, 51, 67, 68
Bills introduced	72, 73, 125, 198, 230, 349, 367, 482, 509, 613
Leave of absence	100, 205, 437, 651, 915, 927, 1017
Nominated and confirmed as Insurance Commissioner	1209
Petitions	566
Resolutions	409, 486, 836, 939, 969
Withdrawal of bill	427
GLEAVES, J. M. Appeared and qualified	1
Appointed on committees	68
Bills introduced	104, 123, 214, 229, 262, 325, 367, 374, 395, 411, 414, 438, 455, 515, 576, 669, 886
Leave of absence	264, 711, 942, 1005
Petitions	547, 566, 567, 632, 663, 884
Resolutions	137, 164, 174, 267, 326, 513, 610
GOVERNOR'S MESSAGES. Second biennial of Governor Markham	19-36
Making appointments	37
Appointing Private Secretary	54
Appointing D. W. Weldt as Pilot Commissioner	55
Approving S.B. 18	193
Approving S.B. 197	206
Approving S.B. 286	263
Approving S.B. 368	390
Nominating Henry F. Emeric for Fish Commissioner	439
Nominating E. L. Colnon for Harbor Commissioner at San Francisco	584
Approving S.B. 429	584
Approving S.B. 44	665
Approving S.B. 373	758
Relative to S.B. 55 and 182	836
Approving S.B. 785	871
Returning S.B. 55 and 182	871
Approving S.B. 198 and 24	871
Relative to S.B. 431	950
On retrenchment, etc.	950
Approving S.B. 764	950
Approving S.B. 1, 35, 226, 228, 225	961
Vetoing S.B. 207	961
Nominating Capt. Amun Sevort for Pilot Commissioner at San Diego	1039
Nominating Capt. C. H. Davis for Port Warden at San Diego	1039
Nominating Mrs. Adina Mitchell for Trustee of Whittier State School	1039
Vetoing S.B. 242	1040
Approving S.B. 88	1040
Approving S.B. 196, 230, 155, 28, 51, 122, 310	1040
Vetoing S.B. 257	1074
Vetoing S.B. 694	1074
Approving S.B. 250, 436, 437, 34	1074
Nominating James M. Morrison for Fish Commissioner	1075
Nominating Pilot Commissioners for San Francisco, Mare Island, and Benicia	1159
Approving S.B. 529 and 892	1159
Approving S.B. 3, 291, 365, 110, and 313	1159
Vetoing S.B. 438	1161
Vetoing S.B. 75	1161
Vetoing S.B. 239	1208
Nominating Henry C. Gesford for Insurance Commissioner	1209
Approving S.B. 347 and 607	1209
Nominating H. R. Atwood for Port Warden at San Francisco	1209
Nominating Robert Fitzgerald for Prison Director	1209
Nominating Nelson Provost for Port Warden	1209
GREENWALD, MABELLA. To be Assistant History Clerk	154
GRÜTTNER, OSWALD. Nominated for Assistant File Clerk	174
Report of committee	190

II

HACKETT, JOHN. Nominated as Pilot Commissioner	1159
Confirmed as Pilot Commissioner	1160
HALE, O. A. Vote recorded for United States Senator	145
HARNEY, P. J. Nominated for Port Warden	1159
Confirmed as Port Warden	1161
HART, E. C. Appointed on committees	42, 68, 1086
Appointed a teller to canvass vote for Governor	46
Bills introduced	74, 75, 94, 106,
127, 153, 169, 176, 202, 208, 231, 245, 261, 273, 317, 318, 349, 366, 367, 457, 537, 552, 553, 666	
Leave of absence	416
Resolutions	6, 9, 16,
18, 44, 97, 118, 202, 331, 394, 396, 444, 496, 533, 672, 673, 710, 816, 817, 897, 912, 1031, 1067	

HAYNES, FRANCIS L. Appointed and confirmed as Trustee of Whittier State School.....	37
HENDERSON, PERCY L. Appeared and qualified.....	1
Appointed on committees.....	68
Bills introduced.....	152, 171, 230, 406, 515
Leave of absence.....	189, 416, 711
HOLLOWAY, J. C. Appeared and qualified.....	1
Appointed on committees.....	68, 329, 980
Bills introduced.....	112, 152, 153, 172, 201, 202, 264, 408, 423, 482, 520, 576
Leave of absence.....	415, 856, 1002, 1169
Petitions.....	476, 477, 614
Resolutions.....	9, 97, 174, 624
HOME FOR FEEBLE-MINDED CHILDREN. Report of committee on.....	636
HOYT, J. B. Appointed on committees.....	42, 67, 68
Bills introduced.....	105, 134, 146, 150, 161, 175, 197, 261, 395, 423
Leave of absence.....	264
Resolutions.....	10, 13, 44, 164, 1028, 1035, 1197

I

INAUGURAL CEREMONIES.....	52
INVITATION. To La Fiesta at Los Angeles.....	533
To corner-stone ceremonies.....	566

J

JETER, WILLIAM. Vote received for United States Senator.....	141
JOINT CONVENTION.....	46, 52, 155

K

KIDNEY, JAMES. Nominated for Assistant Enrolling Clerk.....	188
Report of committee.....	190
KINKEAD, L. M. Nominated as Stenographer.....	174
Report of committee.....	190
KNAPP, J. F. Nominated to succeed W. W. Collins as bookkeeper.....	711
KNOX, W. F., Jr. Appointed Trustee of State Burial Grounds.....	37
Confirmed.....	39

L

LANGFORD, B. F. Appointed on committees.....	42, 67, 68, 329, 822
Bills introduced.....	83, 84,
105, 107, 110, 111, 115, 128, 136, 146, 150, 152, 252, 395, 504, 530, 577, 666, 672, 756	
Explanation of vote.....	222
Leave of absence.....	416, 640, 771, 831, 1109
Resolutions.....	115, 256, 341, 493
LEON, GEO. A. To be Assistant Secretary.....	137
LEVISON, W. Report of committee on appointment of.....	103
LINDER, REYNOLD. Appeared and qualified.....	1
Appointed on committees.....	68
Bills introduced.....	152, 197, 208, 231, 268, 273, 349, 441, 495, 504, 515, 596, 671
Leave of absence.....	702
Resolutions.....	12, 97, 129, 672
LINDLEY, E. B. Appointed History Clerk.....	161
LORENTZEN, H. To be Messenger.....	136
Report of committee.....	190
LYNCH, S. To be Porter.....	153
Report of committee.....	190

M

MACMULLEN, C. S. Elected First Assistant Minute Clerk of Senate.....	10
MACNEIL, H. L. Resigned as Fish Commissioner.....	439
MAGUIRE, J. G. Vote received for United States Senator.....	141, 142
MAHONEY, J. H. Appeared and qualified.....	1
Appointed on committees.....	43, 55, 68
Bills introduced.....	76, 112, 124, 138, 245, 318, 441, 646, 670
Leave of absence.....	459, 534
Resolutions.....	15, 65, 97, 117, 118, 129, 130, 136, 562, 650, 898, 910
Resignation as Chairman of committee.....	118
Resignation as Chairman declined.....	132
Withdrawal of bill.....	388

	PAGE.
MARTIN, NOBLE. Appointed on committees	67, 68, 1140
Bills introduced	666
Leave of absence	416, 711
Petitions	548, 631, 755
Resolutions	1184
MATHEWS, J. R. Appointed on committees	7, 68, 1116
Appointed teller to canvass vote for Governor	46
Bills introduced	76,
79, 105, 123, 124, 135, 136, 170, 172, 202, 348, 366, 407, 408, 444, 494, 666, 671, 710, 713, 897	
Explanation of vote	222, 1190
Petitions	434, 577, 1037
Question of privilege	225
Resolutions	67, 711, 949
MAY, R. A. To be Bill Filer	97
MAYHEW, C. R. Elected Engrossing Clerk	5
MAYO, CHAS. Nominated as Pilot Commissioner	1159
McALLISTER, E. Appointed on committees	42, 67, 68, 1192
Bills introduced	76, 125, 152, 172, 187, 207, 260, 273, 318, 349, 366, 458, 515
Explanation of vote	222, 1190
Leave of absence	416, 534, 579, 587, 614, 771, 856, 1017, 1032
Paired on United States Senator	141, 142
Petitions	225, 269, 371, 433, 457, 753
Resolutions	50, 758, 762, 917, 1120, 1215
McAULIFFE, JOSEPH. To be Assistant File Clerk	96
Report of committee on appointment of	102
McGEORGE, THOMAS E. To be messenger to Judiciary Committee	92
Report of committee on appointment of	94
McGOWAN, F. Appointed on committee	47, 68, 1140
Bills introduced	75, 76, 78, 104, 109, 110, 124, 171, 261, 262, 423, 532, 647, 648
Explanation of vote on S.B. 875	1108
Explanation of vote on S.B. 709	1071
Leave of absence	7, 856
Petitions	190, 401, 588, 591, 632
Resolutions	90, 91, 92, 94, 98, 129, 188, 199, 212, 216, 278, 313, 374, 553, 565, 585, 910, 975, 1078
Withdrawal of bills	319, 432
McHUGH, KITTY. Elected Postmistress	5
Qualifies	8
MEDLEY, J. C. To be Assistant Minute Clerk	129
Report of committee	190
MEMORIALS. By Flint; on Sunday law	225, 254
By Beard; on Yosemite turnpike	246
On Sunday law	269, 502
MILLARD, LIEUTENANT-GOVERNOR. Report of committee on qualifica- tions of	56
Resolution of sympathy and regrets	1215
Statement by Lieutenant-Governor Reddick	51
MITCHELL, T. F. Appointed on committees	68
Bills introduced	79, 107, 125, 244, 595
Leave of absence	654, 813
Resolutions	936, 1103
MITCHELL, MRS. ADINA. Nominated and confirmed as Trustee of Whittier State School	1039
MITCHELL, E. F. Elected Minute Clerk	4
MORRISON, JAMES M. Nominated for Fish Commissioner	1075
Confirmed as Fish Commissioner	1092
MULLIN, ANDREW. Appointed Trustee of Whittier State School	37
Confirmed by Senate	38
MURPHY, B. D. Vote received for United States Senator	141, 142
N	
NAPA ASYLUM. Report of committee	635
NEFF, J. H. Vote received for United States Senator	145
NILES, E. J. To be Chief Bill Clerk	97
Report of committee on appointment of	102
To be Assistant Journal Clerk	1183
O	
OAKLAND CHARTER. Amendments to	219-220
O'CONNOR, JOHN J. Elected Second Assistant Sergeant-at-Arms	4
OFFICERS QUALIFY	6
ORR, ORESTES. Appointed on committees	42, 43, 68, 93, 822, 980, 1086, 1192
Bills introduced	80, 106, 114, 127, 146, 153, 187, 214, 234, 272, 340, 348, 441, 475, 482, 503, 671
Leave of absence	213, 603, 640, 693, 702, 830, 942

ORR, ORESTES. Petitions.....	144, 517, 518, 755, 884
Resolutions.....	13, 18, 58, 92, 109, 129, 174, 200, 263, 988, 1075, 1164
Withdrawal of bill.....	268
OVERTON, A. P. Appointed Director of Home for Feeble-Minded Children.....	37
Confirmed by Senate.....	40

P

PATTERSON, W. C. Appointed Trustee of Whittier State School.....	37
Confirmed by Senate.....	40
PEDLAR, A. J. Appeared and qualified.....	1
Appointed on committees.....	67, 68
Bills introduced.....	80, 96, 106, 127, 153, 171, 231, 407, 441, 500, 525
Explanation of vote.....	222
Leave of absence.....	415, 534, 640, 674, 944
Petitions.....	402, 519, 848
Resolutions.....	96, 898, 1207
PERKINS, GEO. C. Address to Joint Assembly.....	158
Placed in nomination for United States Senator.....	140
Vote received for United States Senator.....	141, 142, 145
PETITIONS. By Ford; relating to elections, etc.....	66
By Flint.....	120
By Voorheis.....	122
By Orr; relative to an investigating committee.....	144
By McGowan; relating to exempting shipping from taxation.....	190
By McAllister; relative to a Sunday law.....	225, 269
By Earl; relative to prevention of cruelty to animals.....	316
By Bert; from Citizens' Defense Association.....	364
By Earl; against "Uniform License Bill".....	367
By Mathews; to regulate sale of fertilizers.....	371
By McGowan; relative to uniform liquor license law.....	401
By Voorheis; relative to a Sunday law.....	402
By Orr; relative to insolvency bill.....	402
By Orr; relative to sale of liquor near University.....	402
By Franck; relative to protection of singing birds.....	403
By McAllister; relative to Sunday closing of barber shops.....	433
By Withington; relative to county fairs.....	434
By Withington; relative to license law.....	434
By Mathews; relative to reductions in notarial fees.....	434
By Simpson; against uniform liquor license law.....	437
By Ford; against abolishment of Mining Bureau.....	450
By Whitehurst; relative to a Sunday law.....	451
By McAllister; against reduction of notarial fees.....	457
By Holloway; relative to the pardoning power.....	476
By Holloway; relative to taxes and delinquencies.....	477
By Holloway; relative to road law.....	477
By Ford; against abolition of Mining Bureau.....	477
By Voorheis; against abolition of Mining Bureau.....	502
By Orr; favoring District Fairs.....	517
By Orr; relative to age of consent.....	517
By Orr; against reduction of notarial fees.....	517
By Seymour; relative to a Sunday law.....	518
By Orr; relative to a Sunday law.....	518
By Bert; relative to a Sunday law.....	519
By Ford; favoring a sheep license.....	519
By Pedlar; against reduction of notarial fees.....	519
By Flint; against reduction of notarial fees.....	547
By Gleaves; relative to the Desert Land Act.....	547
By Franck; against abolishment of Building and Loan Commission.....	548
By Martin; relative to a Sunday law.....	548
By Simpson; against notarial fee bill.....	548
By Earl; relative to a Sunday law.....	549
By Gesford; relative to a Sunday law.....	566
By Gleaves; against abolition of Mining Bureau.....	566
By Gleaves; against reduction of notarial fees.....	567
By Mathews; against abolition of Mining Bureau.....	577
By McGowan; against uniform license law.....	588, 591
By Holloway; relative to a Sunday law.....	614
By Martin; against uniform license law.....	631
By Voorheis; against abolition of Mining Bureau.....	631
By McGowan; relative to veterans.....	632
By Gleaves; against uniform license law.....	632
By Simpson; relative to age of consent.....	648
By Ford; relative to notarial fees.....	648
By Androus; relative to age of consent.....	649

PETITIONS.—Continued.	PAGE.
By Gleaves; relative to female suffrage.....	663
By Voorheis; relative to notarial fees.....	691
By Androus; relative to notarial fees.....	691
By McAllister; relative to Agricultural District No. 23.....	753
By Voorheis; favoring A.B. 474.....	753
By Shine; against uniform license law.....	754
By Shine; protesting against the transfer of the Mining Bureau.....	754
By Earl; to establish free employment agency.....	754
By Seymour; favoring a Sunday law.....	754
By Shine; relative to a Sunday law.....	754
By Orr; relative to a Sunday law.....	755
By Whitehurst; relative to a Sunday law.....	755
By Earl; relative to age of consent.....	755
By Aram; relative to a Sunday law.....	755
By Martin; relative to a Sunday law.....	755
By Fay; relative to Goat Island.....	789
By Pedlar; for free employment agencies.....	848
By Seymour; relative to a Sunday law.....	884
By Gleaves; relative to a Sunday law.....	884
By Gleaves; against uniform license law.....	884
By Androus; relative to a Sunday law.....	884
By Orr; relative to a Sunday law.....	884
By Flint; against S.B. 852.....	884
By Withington; relative to a Sunday law.....	884
By Fay; relative to a Sunday law.....	917
By Seawell; against improving streets around Capitol.....	1036
By Mathews; relative to State buying railroads and operating same.....	1037
By Flint; relative to payment for goods furnished City of San Francisco.....	1063
By Flint; relative to goods of California manufacture.....	1109
POPPE, ROBERT A. Appointed Director California Home for Feeble-Minded Children.....	37
Confirmed by Senate.....	40
POPULATION OF COUNTIES.....	1001
PRESENTATIONS.....	1218
By Earl; of gavel to President pro tem. Flint.....	890
PROCEEDINGS OF JOINT ASSEMBLY.....	155, 156, 157, 158
Relating to election of United States Senator.....	140, 141, 142, 143
PROVOST, NELSON. Nominated Port Warden, San Francisco.....	1209
Confirmed as Port Warden, San Francisco.....	1210
R	
RALSTON, A. J. Appointed Director Deaf, Dumb, and Blind Asylum.....	37
Confirmed by Senate.....	39
REDDICK, J. B. Appropriation for.....	92
Called Senate to order.....	1
Farewell address.....	58
Speaks to question of privilege.....	54
REPORT OF BOARD OF SUTTER'S FORT TRUSTEES.....	36
RESOLUTIONS. By Seawell; for joint convention to canvass vote.....	6
By Voorheis; for committee to notify Governor.....	6
By Voorheis; notifying Assembly of organization of Senate.....	6
By Hart; appointing Rev. Ottmann as Chaplain.....	6
By Voorheis; directing Controller to deliver warrants to Sergeant at-Arms.....	8
By Aram; directing Secretary of State to supply Codes.....	8
By Seawell; for joint convention.....	8
By Voorheis; appointing Edward Casey First Assistant Bookkeeper to Sergeant-at-Arms.....	8
By Beard; appointing C. A. Marsten Second Assistant Enrolling Clerk.....	8
By Simpson; appointing J. M. Gleaves, Jr., First Assistant Enrolling Clerk.....	9
By Hart; appointing J. N. Larkin Assistant Journal Clerk.....	9
By Shine; appointing C. C. Ortega Assistant Journal Clerk.....	9
By Holloway; appointing H. H. McKoon Assistant Enrolling Clerk.....	9
By Hoyt; appointing W. A. Mills and H. D. Lazzell as Ushers.....	10
By Seymour; appointing W. R. Porter Second Assistant Minute Clerk.....	10
By Aram; appointing Mrs. Florence True Assistant Engrossing Clerk.....	10
By Denison; appointing C. S. MacMullan First Assistant Minute Clerk.....	10
By Androus; appointing G. S. Henry Assistant Engrossing Clerk.....	10
By Bert; appointing Mrs. M. J. Rose Assistant Engrossing Clerk.....	11
By Franck; appointing George Scott Watchman.....	11
By Shine; appointing Watchmen.....	11
By Smith; appointing S. A. Williams Assistant Journal Clerk.....	11
By Aram; appointing Geo. T. Brown Gatekeeper.....	12

RESOLUTIONS—Continued.

PAGE.

By Linder; appointing W. J. Tuohy Second Assistant Bookkeeper to Sergeant-at-Arms.....	12
By Simpson; appointing Chas. Kean Messenger to State Printer.....	12
By Smith; appointing C. A. Fuller Assistant Enrolling Clerk.....	12
By Androus; appointing U. E. White History Clerk.....	13
By Hoyt; appointing Chas. Newman Assistant Sergeant-at-Arms.....	13
By Orr; appointing C. J. Murphy Assistant Enrolling Clerk.....	13
By Seymour; appointing Miss Maggie Harrison Assistant Engrossing Clerk.....	13
By Bert; appointing Porters.....	13
By Ford; appointing Miss Orea Fairchild Assistant Journal Clerk.....	14
By Ford; appointing Albert Hart Assistant Engrossing Clerk.....	14
By Ford; appointing W. P. Calkins Bill Clerk.....	14
By Ford; appointing I. M. Terrill and Phil Tresize Gatekeepers.....	14
By Ford; appointing Pages.....	15
By Mahoney; appointing Ray G. Falk Assistant Minute Clerk.....	15
By Mahoney; appointing M. J. Flynn Doorkeeper.....	15
By Earl; appointing Emil Klein Mailing and Folding Clerk.....	15
By Earl; appointing A. S. Baker Second Assistant Bill Clerk.....	16
By Earl; appointing C. L. Pardee Assistant Secretary.....	16
By Earl; appointing W. W. Taylor Assistant Bill Clerk.....	16
By Earl; appointing George A. Leon, Assistant Register and File Clerk.....	16
By Hart; appointing Mrs. H. B. Weller Janitress.....	16
By Voorheis; appointing Charles B. Edwards Porter.....	17
By Denison; appointing Robert Hanford Mail Carrier.....	17
By Androus; appointing J. L. McComas Register and File Clerk.....	17
By Seymour; appointing William Sampson Messenger to Sergeant-at-Arms.....	17
By Orr; appointing Merton Barnes Assistant History Clerk.....	18
By Hart; relative to individual contingent allowance.....	18
By Bert; relative to Governor Markham's biennial message.....	36
By Earl; appointing Lyle Pedlar Bookkeeper to Sergeant-at-Arms.....	41
By Ford; appointing F. B. Mitchell Electrician.....	41
By Hoyt; relative to engineer and fireman.....	44
By Hart; relative to newspaper correspondents.....	44
By Pendleton; relative to inaugural ceremonies.....	47
By Ford; relative to contingent expenses.....	50
By McAllister; on adjournment.....	50
By Aram; relative to Henning's Codes.....	53
By Aram; directing printing of Governor's inaugural address.....	53
By Ford; relating to Senate Pages.....	55
By Orr; relative to per diem of attachés.....	58
By Mahoney; relative to introduction of bills.....	65
By Mathews; S.J.R. 1.....	87, 117
By Voorheis; S.J.R. 2.....	89
By Biggy; S.J.R. 3.....	90
By McAllister; S.J.R. 4.....	90, 185
By McGowan; S.J.R. 5.....	90, 91
By McGowan; S.J.R. 6.....	91
By McGowan; S.J.R. 7.....	91
By Orr; relative to appropriation for Lieutenant-Governor Reddick.....	92
By Simpson; relative to Index to Statutes and Codes.....	92
By Voorheis; relative to Assistant Clerk and Stenographer to Finance Committee.....	92, 94
By McGowan; relative to Porter to Judiciary Committee.....	92, 94
By McGowan; relative to Sergeant-at-Arms to Judiciary Committee.....	92, 94
By McGowan; relative to Messenger to Judiciary Committee.....	92, 94
By Denison; relative to printing Senate bills, etc.....	96
By Voorheis; relative to Messenger to Lieutenant-Governor.....	96
By Bert; relative to Assistant File Clerk.....	96
By Pedlar; relative to Messengers and Sergeants-at-Arms for committee rooms.....	96
By Mahoney; relative to appointment of Pages.....	97
By Mahoney; relative to supplies from Secretary of State.....	97
By Franck; relative to appointment of Assistant Mailing Clerk.....	97
By Seymour; relative to appointment of Assistant Secretary.....	97
By Linder; relative to Chief Bill Clerk.....	97
By Holloway; appointing a Porter.....	97
By Earl; appointing a Porter.....	97
By Hart; appointing Bill Filer.....	97
By Voorheis; relative to reference of appropriation bills.....	98
By Voorheis; relative to Senate post office.....	98
By McGowan; relative to purchase of furniture.....	98
By Bert; amending temporary rules.....	98
By Franck; relative to Assistant Clerk to committee.....	98
By Seymour; on Retrenchment Committee.....	99

RESOLUTIONS—Continued.

	PAGE.
By Fay; relative to Sergeant-at-Arms to San Francisco Delegation	99
By Simpson; relative to purchase of "Street Laws"	101
By Aram; relative to Stenographer to Judiciary Committee	107
By Withington; case of urgency	107
By Orr; relative to purchase of "Street Laws"	109
By Langford; S.J.R. 8	115
By Langford; S.J.R. 9	115
By Mahoney; S.C.R. 3	117, 130
By Mahoney; relative to illuminating the Dome, etc.	118
By Mahoney; relative to music for Inaugural Ball, etc.	118
By Mahoney; relative to appropriations for repairs	118
By Hart; relative to appropriation for Page	118
By Seawell; relative to Assistant Messenger to State Printer	119
By Aram; appropriation for Codes	119
By Seawell; urgency of A.B. 290	121
By Orr; relative to appointing committee to investigate elections	129, 160, 185, 186
By McGowan; relative to appointment of Assistant Minute Clerk	129
By Mahoney; relative to appointment of Porter	129
By Linder; relative to appointment of Porter	129
By Mahoney; relative to lighting Capitol	130
By Mahoney; relative to music for Inaugural Ball	130
By Mahoney; relative to use of Senate Chamber	130
By Burke; urgency of S.B. 18	131
By Mahoney; on appointment of Messenger	136
By Seymour; relative to appointment of Assistant Secretary	137
By Simpson; relative to purchase of "Street Laws"	137
By Gleaves; S.J.R. 10	137
By Voorheis; relative to election of United States Senator	139
By Voorheis; relative to Joint Assembly	143
By Beard; relative to appropriation for band	146
By Earl; relative to appointment of Porter	153
By Earl; sundry items	153, 154
By Beard; relative to appointment of Assistant History Clerk	154
By Seymour; relative to appointment of Porter	154
By Seymour; relative to Stenographer to Retrenchment Committee	154
By Voorheis; to inform Governor of vote for United States Senator	157
By Denison; relative to appointment of Assistant Secretary	158
By Simpson; substituting History Clerk	161
By Gleaves; relative to leave of absence for sub-committee	164
By Hoyt; relative to appointment of Assistant Secretary	164
By Voorheis; relative to State Printer	173
By Ford; relative to publication of address by J. J. Boyce	173
By Seymour; relative to investigations by Retrenchment Committee	174, 187
By Orr; nominating Stenographer, etc.	174
By Gleaves; relative to appointment of Assistant File Clerk	174
By Gleaves; relative to appointment of Copying Clerk	174
By Gleaves; relative to appointment of Page to Sergeant-at-Arms	174
By Holloway	174
By Androus; S.J.R. 11	176
By Ford; case of urgency	182
By Biggy; requesting Attorney-General to prepare bill for investigation of alleged election frauds	188
By Shippee; relative to pay of I. M. Terrill, as Gatekeeper	188
By McGowan; relative to appointment of Assistant Enrolling Clerk	188
By Voorheis; case of urgency	191
By Withington; relative to appointment of committee to investigate question of attachés	199
By Voorheis; relative to ball tickets for Pages	199
By McGowan; relative to leave of absence for committee	199
By Androus; relative to leave of absence for sub-committee	199
By Orr; relative to expenses of members and committees while traveling	200
By Ford; relative to leave of absence for sub-committees	200
By Hart; relative to purchase of desk for Secretary of Senate	202
By Biggy; S.J.R. 3, relative to payment of debt of Pacific railroads	211
By McGowan; relative to telegraphing Senate substitute to Congress	212
By Earl; relative to Pacific Railroad debts	215
By Voorheis; urgency of A.B. 450	215
By McGowan; relative to sundry items of expense	216
By Earl; S.C.R. 4	219
By Withington; relative to leave of absence for sub-committee to inspect Normal School sites	227
By Voorheis; S.J.R. 2, on free coinage of silver	250
By Langford; urgency of S.B. 373	256
By Shine; S.C.R. 5	262

RESOLUTIONS—Continued.

	PAGE.
By Orr; on adjournment.....	263
By Gleaves; relative to mileage, etc.....	267
By McGowan; S.C.R. 6, charter of city of Eureka.....	278-309
By McGowan; relative to mileage of Chairman of Committee on Harbors, etc.....	313
By Gleaves; S.C.R. 7, inviting Congressional Committee.....	326
By Hart; directing State Printer.....	331
By Voorheis; urgency of A.B. 1.....	332
By Langford; urgency of S.B. 373.....	341
By Ford; relative to mileage, etc.....	351
By Smith; relative to meetings of Judiciary Committee.....	367
By McGowan; relative to changing standing rules.....	374
By Hart; relative to covering lobby with matting.....	394
By Androus; case of urgency.....	394
By Hart; relative to mileage for sub-committee.....	396
By Gesford; recalling S.B. 57.....	409
By Shippee; relative to S.B. 268.....	414
By Withington; relative to printing 1000 copies of S.B. 696.....	442
By Androus; relative to ascertaining amount collected by San Francisco Pilot Commissioners.....	442
By Hart; directing Controller to draw warrants for sundry items.....	444
By Ford; relative to printing 250 copies of "Municipal Law," etc.....	449
By Voorheis; S.J.R. 12.....	473
By Androus; relative to a bulletin board.....	474
By Beard and Gleaves; relative to appointment of stenographer.....	474
By Gesford; urgency of S.B. 44.....	486
By Voorheis; S.J.R. 13, mining claims in Yosemite.....	493
By Langford; relative to Substitute for S.B. 268.....	493
By Hart; appropriating money.....	496
By Seawell; relative to leave of absence for committee to visit Napa, etc.....	498
By Earl; urgency of sundry bills.....	504
By Voorheis; A.J.R. 13, free coinage of silver.....	512
By Gleaves; relative to leave of absence for sub-committee to visit harbors.....	513
By Flint; relative to leave of absence for sub-committee to visit San Quentin, etc.....	530
A.J.R. 20, relative to U. S. Debris Commission.....	531
By Hart; sundry expense items.....	533
By Beard; appointment of attaché.....	537
By McGowan; directing State Printer.....	553
By Mahoney; appointment of attaché.....	562
By McGowan; urgency of S.B. 772, 764.....	565
By Smith; urgency of S.B. 426.....	569
By Voorheis; urgency of S.B. 785.....	578
By McGowan; relative to use of Senate Chamber by committees.....	585
By Voorheis; urgency of A.B. 935.....	609
By Gleaves; relative to Sub-Committee on Military Affairs.....	610
By Withington; relative to free distribution of statutes.....	610
A.C.R. 13.....	619
By Shine; urgency of S.B. 148.....	622
By Holloway; urgency of S.B. 687.....	624
S.J.R. 8.....	630
A.J.R. 19.....	640
By Mahoney; relative to supplying Senators with Constitutional Debates.....	650
A.J.R. 19.....	652
By Ford; relative to Electrician of Senate.....	658
By Linder; substituting Collins for Tuohy.....	672
By Hart; relative to pay for Senate bulletin board.....	672
By Hart; sundry expense items.....	673
By Withington; relative to printing extra copies of S.B. 807.....	692
By Withington; relative to appointment of two Porters.....	709
By Hart; relative to postage, etc.....	710
By Mathews; S.J.R. 15, relative to appointing delegates to dedication of military park at Chattanooga, etc.....	711, 1181
By Ford; relative to pay of R. A. May.....	718
By Bert; relative to evening sessions.....	718
A.J.R. 14.....	733
By Ford; urgency of forty-two bills.....	735
By Langford; S.C.R. 9, relative to employment of convicts.....	756
By McAllister; relative to inventory of furniture, etc.....	758
A.J.R. 14.....	761
By McAllister; relative to A.B. 501.....	762
A.J.R. 23, free wagon road to Yosemite.....	762
A.C.R. 14, relative to "Resources of California".....	763
A.J.R. 11.....	763

RESOLUTIONS—Continued.

	PAGE.
A.J.R. 17, relative to National Conventions	763
A.J.R. 16, relative to Pacific cable	764
A.C.R. 11, relative to revenue and taxation	764
By Arms; S.C.R. 10, relative to adjournment <i>sine die</i>	770
By Earl; S.C.R. 8, charter of Berkeley	771
By Seymour; S.J.R. 16	812
By Hart; telegraph bill	816
By Hart; relative to appointment of E. Cowan, Porter	817
A.J.R. 10, relative to improvement of Sacramento River	828
A.C.R. 16, relative to portrait of Governor Booth	831
By Gesford; relative to recall of S.B. 55 and 182	836
By Earl; urgency of sundry bills	851
By Shine; relative to pay of Emil Ney	852
By Franck; urgency of S.B. 780	874
By Voorheis; urgency of A.B. 695	875
By Earl; urgency of S.B. 846	885
By Gleaves; S.J.R. 17, relative to improvement of navigable rivers	886, 974
By Hart; relative to payment of sundry items of expense	897
By Pedlar; relative to attachés	898
By Mahoney; relative to payment of J. McAuliffe	898
By Smith; urgency of S.B. 806	903
By McGowan; relative to bills on file	910
By Mahoney; relative to repairs to Secretary's desk	910
By Hart; relative to sundry expenses	912
By Earl; suspending Constitution	912
By McAllister; relative to S.B. 787	917
By Biggy; urgency of A.B. 879	922
By Franck; relative to A.B. 676	923
By Smith; S.C.R. 12, relative to <i>sine die</i> adjournment	932, 948, 1090
By Earl; urgency of S.B. 885	935
By Mitchell; urgency of S.B. 830	936
By Gesford; urgency of S.B. 862	939
By Beard; suspension of Constitution	944
By Ford; relative to arrangement of file	946
By Voorheis; urgency of A.B. 1019	947
By Smith; urgency of thirty-four bills	947
By Mathews; relative to urgency file	949
By Ford; relative to changing form of file	965
By Gesford; urgency of S.B. 662	964
By McGowan; relative to urgency file of Assembly bills	975
By Orr; relative to night sessions	988
By Voorheis; relative to S.B. 369	1011
By Earl; relative to sundry urgency cases	1011
By Androus; urgency of S.B. 891	1015
By Beard; urgency of S.B. 885 and 539	1016
By Hoyt; withdrawal of S.B. 349	1028
By Hart; reimbursing Sergeant-at-Arms for Codes stolen	1031
By Flint; S.C.R. 17, relative to Mexican International Exposition	1032
By Simpson; urgency of S.B. 809	1033
By Hoyt; relative to return of S.B. 349	1035
By Voorheis; limiting speeches	1836
By Flint; urgency of S.B. 739 and 887	1038
By Seymour; urgency of thirteen Assembly bills	1042
By Arms; relative to charges by Senator Biggy	1057
By Hart; relative to S. Earhart, messenger	1067
By Androus; urgency of S.B. 891	1068
By Orr; urgency of eleven Assembly bills	1075
By McGowan; reducing number of attachés	1078
By Withington; S.C.R. 11, relative to free distribution of Acts and amend- ments to Codes, etc.	1094
By Ford; urgency of A.B. 1013	1095
By Seymour; urgency of S.B. 761	1096
By Androus; urgency of S.B. 511	1097
By Mitchell; urgency of A.B. 799	1103
By Seymour; urgency of twenty-five Assembly bills	1106
By Seymour; urgency of eight Assembly bills	1111
By Burke; relative to transmission of bills to the Assembly	1112
By Voorheis; suspension of Constitution	1119
By Voorheis; urgency of S.B. 892	1120
By McAllister; urgency of A.B. 945	1120
By Voorheis; relative to A.B. 877, 601, 599, 694	1147
By Withington; relative to revision of system of legislative procedure, etc.	1149
By Bert; urgency of thirteen Assembly bills	1150
By Aram; relative to claim of L. H. Pedlar	1153

RESOLUTIONS—Continued.

	PAGE.
By Franck; suspension of Constitution.....	1156
By Franck; urgency of S.B. 893.....	1157
A.C.R. 15; inspection of concrete work at ferry landing.....	1158
By Aram; urgency of S.B. 233.....	1164
By Orr; not to consider bills after 1 P. M. Saturday, March 16th.....	1164
By Bert; urgency of S.B. 629.....	1175
By Seymour; urgency of A.B. 1026.....	1176
A.J.R. 4.....	1178
By Bert; E. J. Niles to be Assistant Journal Clerk.....	1183
By Martin; relative to A.B. 930.....	1184
By Smith; urgency of A.B. 473.....	1189
By —; relative to index to bills.....	1193
By Ford; relative to employment of R. A. May after adjournment.....	1195
By Hoyt; relative to payment of Hugh M. Burke for services rendered.....	1197
By Voorheis; urgency of A.B. 1025.....	1198
By Androus; relative to sundry employés.....	1206
By Androus; relative to J. F. Knapp.....	1207
By Withington; relative to notifying statutory officers to attend opening of thirty-second session.....	1207
By Earl; relative to reimbursing bookkeeper to Sergeant-at-Arms.....	1207
By Shine; relative to C. C. Ortega.....	1207
By Pedlar; all attachés be continued in Sacramento one week.....	1207
By Voorheis; relative to appointment of committee to wait upon the Gov- ernor.....	1211
By Fay; relative to appointment of investigating committee.....	1213
By Simpson; relative to payment of Stenographer to investigating committee.....	1214
By McAllister; sympathy and regrets extended to Lieutenant-Governor S. G. Millard.....	1215
ROBERTS, JAMES W. Appointed Messenger to Lieutenant-Governor.....	96
Report of committee.....	101
ROSSI, A. L. Nominated for Assistant Secretary.....	164
Report of committee.....	190
RULES. Joint.....	478-480
Standing.....	176-182
Temporary.....	59-65
S	
SEAWELL, J. H. Appeared and qualified.....	1
Appointed on committees.....	42, 68, 1064, 1218
Bills introduced.....	80, 81, 82, 105, 128, 146, 153, 172, 187, 198, 214, 243, 244, 260, 273, 407
Explanation of vote.....	222, 475, 1072
Leave of absence.....	227, 416, 640, 689, 1175
Petitions.....	1036
Resolutions.....	6, 8, 119
Substitution of bill.....	243
Vote received for United States Senator.....	142
Withdrawal of bill.....	244
Withdrawal and substitution of bill.....	324
SEMMIE, JAMES W. Appointed Pilot at Redondo Harbor.....	37
Confirmed by Senate.....	38
SENATE CONSTITUTIONAL AMENDMENTS. No. 2, relative to right of suffrage.....	352
No. 3, relative to revenue and taxation.....	354
No. 8, relative to manner of voting.....	353
No. 9, relative to elections.....	353
No. 11, relative to poll tax.....	353
No. 16, relative to exemptions from taxation.....	356
SENATE CONCURRENT RESOLUTIONS. No. 1, relative to inaugural ball.....	50
No. 2, relative to qualifications of Lieutenant-Governor Millard.....	57
SEVORT, CAPT. AMUN. Nominated Pilot Commissioner, San Diego.....	1039
Confirmed by Senate.....	1129
SEYMOUR, E. C. Appointed on committees.....	68, 93, 131
Bills introduced.....	82, 83, 94, 112, 124, 125, 146, 151, 170, 202, 229, 244, 260, 272, 273, 318, 348, 411, 455, 482, 503, 515, 516, 525, 577
Explanation of vote on S.B. 709.....	1072
Leave of absence.....	342, 843, 927, 989, 1021, 1059
Petitions.....	518, 754, 884
Resolutions.....	10, 13, 17, 97, 99, 137, 154, 174, 498, 812, 1042, 1096, 1106, 1111, 1176
Withdrawal of bill.....	173, 398
SHAW, RODY Elected Second Assistant Secretary.....	3
SHEAKLEY, HON. JAMES. Presented to Senate.....	890

	PAGE.
SHINE, J. H. Appeared and qualified	1
Appointed on committees	68, 270, 1140
Bills introduced	84, 152, 202, 245, 482, 670
Leave of absence	416
Petitions	754
Resolutions	9, 11, 262, 622, 852, 1207
SHIPPEE, W. A. Appeared and qualified	1
Appointed on committees	67, 68, 131, 1056, 1192
Bills introduced	84, 106, 469
Leave of absence	416, 651
Resolutions	188, 414
SIMPSON, C. M. Appeared and qualified	1
Appointed on committees	68, 1064
Bills introduced	84, 85, 86, 87, 95, 96, 113, 128, 135, 152, 161, 162, 170, 208, 271, 274, 469, 489, 577, 645, 646, 666, 668, 945
Explanation of vote on S.B. 709	1072
Leave of absence	1175
Petitions	437, 548, 648
Question of privilege	159
Resolutions	9, 12, 92, 101, 137, 161, 1033, 1214
SIMPSON, THEODORE A. Elected Journal Clerk	4
SMITH, FRANK. To be Porter	92
Report adopted	94
SMITH, S. C. Appeared and qualified	1
Appointed on committees	68, 93, 270, 1064
Bills introduced	87, 88, 96, 126, 170, 175, 366, 648, 671
Leave of absence	415, 1175
Resolutions	11, 12, 367, 569, 903, 932, 947, 1189
SPENCER, DENNIS. Vote received for United States Senator	141
STANDING RULES	176-182
STEFFENS, JOSEPH. Appointed Director Insane Asylum at Stockton	37
Confirmed by Senate	39
STETSON, J. B. Vote received for United States Senator	145
STEWART, W. W. Appointed Harbor Commissioner for San Diego	37
Confirmed by Senate	38
SUTTER'S FORT TRUSTEES. Report of	36

T

TAYLOR, S. F. Nominated for Copying Clerk	174
Report of committee	190
TERRILL, I. M. Report of committee	190
THORNTON, S. K. Succeeded by Samuel Braunhart, as Port Warden	1159
TIEL, E. R. To be Porter	97
Report of committee on appointment of	102
TONER, HUGH. Appeared and qualified	1
Appointed on committees	68, 1056
Bills introduced	245, 318, 423, 596, 670
Leave of absence	342, 534
TRASK, A. V. Succeeded by Charles Mayo as Pilot Commissioner	1159
TURNER, J. W. To be Rear Porter	129
Report of committee	190

U

UNITED STATES SENATOR. Vote for, declared in Joint Assembly	156, 157
---	----------

V

VETERANS' HOME. Report of committee	636
VOORHEIS, E. C. Appeared and qualified	6
Appointed on committees	7, 68, 822, 1116, 1212
Bills introduced	76, 88, 96, 110, 115, 127, 139, 161, 171, 197, 229, 244, 252, 312, 406, 444, 503, 576, 577, 595, 613, 647, 945, 1119
Leave of absence	227, 416, 689, 831, 954, 1109
Petitions	122, 402, 502, 631, 691, 753
Question of privilege	100
Resolutions	6, 8, 17, 89, 92, 94, 96, 98, 139, 143, 157, 173, 191, 199, 215, 250, 332, 473, 493, 512, 578, 609, 875, 947, 1011, 1036, 1119, 1120, 1147, 1198, 1211
VOTE FOR GOVERNOR	46
VOTE FOR LIEUTENANT-GOVERNOR	47

W

	PAGE.
WATSON, B. J. Succeeded by P. J. Harney as Port Warden	1159
WELDT, DAVID W. Appointed Pilot, Wilmington and San Pedro	55
Confirmed by Senate	55
WEST, H. R. To be Porter	154
Report of committee	190
WHITEHURST, L. A. Appointed on committees	47, 68, 1064
Bills introduced	88, 111, 127, 366, 406
Explanation of vote	222
Leave of absence	534, 1175
Petitions	451, 755
WHITE, U. E. Appointed History Clerk	13
Succeeded by Lindley as History Clerk	161
WICKS, WILLIAM. Nominated for Electrician	658
Confirmed as Electrician	660
WINTRINGER, D. L. To be Porter	97
Report of committee on appointment	102
WISE, JOHN. To be Clerk to San Francisco Delegation	99
Report of committee on appointment	103
WISE, JOHN H. Vote received for United States Senator	145
WITHINGTON, D. L. Appeared and qualified	1
Appointed on committees	68, 329, 980, 1166, 1218
Bills introduced	76, 88, 89, 106, 107, 114, 125, 126, 135, 171, 172, 262, 374, 475, 501, 647, 648
Explanation of vote	222
Leave of absence	253, 415, 711
Petitions	434, 884
Resolutions	107, 199, 227, 442, 610, 692, 709, 1094, 1149, 1207
Vote of thanks to	1219
Withdrawal of bill	423

Y

YOUNG, WILLIAM. Succeeded by John Hackett as Pilot Commissioner	1159
---	------

INDEX TO SENATE BILLS.

Number	TITLE.	Introduced ..	Passed Senate.	Passed Assem- bly
1	An Act to amend Section 581 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the dismissal of civil actions. Aram.....	68	358	493
2	An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892. Aram.....	68	936	1147
3	An Act to amend Section 1093 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women. Aram.....	69	504	615
4	An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor. Androus.....	69		
5	An Act to amend Section 602 of the Penal Code. Beard.....	69		
6	An Act making an appropriation to pay deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years. Beard.....	69	694	785
7	An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery. Beard.....	69		
8	An Act to amend Section 649 of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning. Beard.....	69	473	
9	An Act to appropriate money for the payment of the claims of Francis O'Hara and Richard Walsh, under the provisions of "An Act for the relief of the enlisted men of the California Volunteers in the service of the United States," approved April 27, 1863. Bert.....	69		
10	An Act to prescribe conditions upon which certain insurance associations, known as Lloyds, may be admitted to transact insurance business in this State. Bert.....	69		
11	An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California. Bert.....	69		
12	An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State. Bert.....	69		
13	An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same. Bert.....	69		
14	An Act appropriating \$250,000 for the erection of buildings for the use of affiliated and other departments of the University of California. Bert.....	69		
15	An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of 200,000 inhabitants and over, to appoint a Secretary. Bert.....	70	601	
16	An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns. Bert.....	70	970	1169

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
17	An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor. Biggy.....	70		
18	An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891. Biggy.....	70	147	138
19	An Act to authorize the incorporation of mutual associations to transact the business of life or accident insurance on the assessment plan, and to control such corporations of this State and corporations of other States transacting the business of assessment insurance in this State, and providing and fixing the punishment for violation of the provisions hereof. Biggy.....	70		
20	An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof. Denison.....	70	616	665
21	An Act to prevent evil-disposed persons from coming upon the State Prison grounds. Dunn.....	70		
22	An Act for the protection of patients from extortion by dishonest physicians and druggists. Earl.....	70	232	
23	An Act appropriating \$250,000 for the erection of buildings at Berkeley, Alameda County, for the use of the University of California. Earl.....	70		
24	An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Earl.....	70	470	582
25	An Act to amend Section 1465 of the Code of Civil Procedure of California, relating to setting apart property from a decedent's estate for the use of the family. Earl.....	70		
26	An Act entitled an Act to amend the Act of March 14, 1891, entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress, waiving the title of the State to lands therein, and accepting the provisions made therefor under Section 2275 of the Revised Statutes of the United States." Earl.....	71		
27	An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor. Earl.....	71		
28	An Act to amend Section 1 of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities and counties, of 100,000 inhabitants and over," approved March 12, 1885. Fay.....	71	357	496
29	An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco. Fay.....	71		
30	An Act entitled an Act to amend "An Act to establish a Civil Code," approved March 21, 1872. Flint.....	71		
31	An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party. Ford.....	71		
32	An Act to amend Section 954 of the Code of Civil Procedure, relating to dismissal of appeals. Ford.....	71		
33	An Act to amend Section 1222 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872. Ford.....	71		
34	An Act to amend Section 527 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872. Ford.....	71	512	615
35	An Act to amend Section 3010 of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction. Ford.....	71	471	467
36	An Act to appropriate money to pay the claim of D. Jordan for the partial construction by him of the Branch State Prison at Folsom, California. Ford.....	71	675	871

Number	TITLE.	Introduced	Passed Senate.	Passed Assembly
37	An Act to regulate the business of running and conducting sleeping-cars for profit over railroads within the State of California, and to provide a penalty for the violation of the provisions of this Act. Ford	71		
38	An Act to amend Section 437 of the Code of Civil Procedure, relating to answers. Ford	72		
39	An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees. Ford	72		
40	An Act to amend Section 3002 of the Civil Code, relating to the giving of notice of sale to a pledgor. Ford	72	470	
41	An Act to amend Section 1116 of the Code of Civil Procedure, relating to election contests. Ford	72		
42	An Act to amend an Act entitled "An Act to provide a system of street-improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893. Franck	72	617	823
43	An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa. Gesford	72	793	1072
44	An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894. Gesford	72	486	470
45	An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding a new section to said Insolvent Act, to be known as Section 63, relating to the appointment, powers, and duties of receivers. Gesford	72	Sub.	873
46	An Act to amend Section 737 of the Political Code of the State of California, relative to salaries of Judges of Superior Courts. Gesford	72	415	643
47	An Act to amend an Act approved March 1, 1893, entitled an Act to amend Section 6 and Section 8 of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of an indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks'; also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,' relating to the issuance of bonds by municipalities for public improvement. Gesford	72		
48	An Act to amend Section 181 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of county and township officers of counties of the nineteenth class. Gesford	73		
49	An Act to amend Section 73 of the Code of Civil Procedure of the State of California, relating to county officers and Judges of the Superior Courts. Gesford	73		
50	An Act to amend Section 1107 of the Civil Code of the State of California, relating to the effect of transfers of real property. Gesford	73		
51	An Act to amend Section 2218 of the Political Code of the State of California, relating to the commitment of insane persons. Gesford	73	358	491
52	An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending Section 49 of said Act, relating to debtors discharged. Gesford	73	Sub.	873

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
53	An Act to amend Sections 3449 and 3468 of the Civil Code of the State of California, relating to assignments for the benefit of creditors. Gesford			
54	An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending Sections 6, 7, 12, 13, and 14 of said Act, relating to the orders of Court to be made, and proceedings to be had upon the filing of petitions in insolvency. Gesford	73	882	997
55	An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as Section 402, relating to the manufacture, sale, or other disposition of cigarettes. Gesford	73	Sub.	873
56	An Act to amend Sections 1213 and 1214 of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof. Gesford	73	361	522
57	An Act to amend Section 1 of an Act entitled "An Act to amend an Act, approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association, approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof,' approved March 23, 1893." Gesford	73		
58	An Act to amend Section 132 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the duties of County Recorder. Gesford	74	469	
59	An Act to amend Section 3442 of the Civil Code of the State of California, relating to fraudulent instruments and transfers. Gesford	74		
60	An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the west side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein. Gleaves	74	882	997
61	An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground, between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets. Gleaves	74	868	931
62	An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same. Gleaves	61	869	
63	An Act to amend Section 1379 of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled. Gleaves	74	869	1070
64	An Act to amend Section 213 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872. Hart	74		
65	An Act to amend Section 461 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872. Hart	74		
66	An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses. Hart	75		
67	An Act to authorize State Agricultural Societies, under the control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest, to prescribe a course of procedure therefor, to indemnify purchasers at such sales, and to direct how the proceeds shall be applied. Hart	75		

Number	TITLE.	Introduced	Passed Senate.	Passed Assembly
68	An Act for the relief of F. E. Jackson for personal injuries received by him while in the service of the State. Hart	75		
69	An Act to pay the claim of William G. Hall. Hart	75		
70	An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns. Hart	75	973	1168
71	An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased. Hart	75		
72	An Act for the relief of Charles F. Wells, and to appropriate money therefor. Biggy	75	1021	1177
73	An Act to amend Section 1376 of the Civil Code. McAllister	76		
74	An Act to appoint a committee to report to the thirty-second session of the Legislature, on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin. McAllister	76		
75	An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison. McAllister	76	529	655
76	An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said engineers. Mahoney	76		
77	An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending Sections 8, 9, 10, and 11 of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had thereon; also, by amending Sections 15, 16, 17, 18, 19, 26, 29, 30, 32, and 33 of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also by amending Section 35 of said Act, relating to insolvency proceedings by or against partnerships and corporations; also, by amending Section 48 of said Act, relating to debtors' discharge; also, by amending Section 55 of said Act, relating to fraudulent preferences and transfers; also, by amending Section 61 of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also by amending Section 64 of said Act, relating to contempts; also, by amending Section 65 of said Act, relating to preferred claims for costs; also by amending Section 67 of said Act, relating to appeals. McGowan	76	Sub.	873
78	An Act entitled an Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and numbered as Section 466, relative to certain actions when taxes have not been paid. McGowan	77		
79	An Act to amend Section 1201 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys. McGowan	77		
80	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as Section 300, determining who shall practice law in the several Courts of this State. McGowan	77		
81	An Act to amend Section 276 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law. McGowan	77	369	
82	An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors. McGowan	77		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
83	An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers. McGowan	77		
84	An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person. McGowan	77		
85	An Act entitled an Act to define who are electors. McGowan.	77		
86	An Act entitled an Act to add a section to the Political Code of the State of California, to be known as section number 53, relating to women citizens. McGowan	78		
87	An Act to provide for the incorporation of mutual fire insurance companies, and to define their powers and duties. McGowan	78		
88	An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor. McGowan	78	448	599
89	An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof. McGowan.	78	952	1177
90	An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors. McGowan	78		
91	An Act to amend Sections 55 and 68, and for the repeal of Section 75 of the Civil Code of the State of California, relating to the authentication of marriages. McGowan	78	470	
92	An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors. McGowan	78		
93	An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors. McGowan	78		
94	An Act to amend Section 286 of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed. McGowan	78		
95	An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war. McGowan	78	906	1027
96	An Act to provide for incorporation, operation, and management of cooperative associations. McGowan	78		
97	An Act to regulate the trial of actions for divorce. McGowan.	78		
98	An Act to amend Sections 1670 and 1671 of the Political Code, relating to the establishment of high schools, and to provide for their support. McGowan	78		
99	An Act to amend Section 2652 of the Political Code, relating to road poll tax. McGowan	78		
100	An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of \$61,577, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant. Mitchell	79	626	781
101	An Act concerning the government of irrigation districts, and to require certain orders and resolutions of the Boards of Directors of such districts to be approved by the Board of Supervisors, and to permit certain assessments to be paid in past-due bond coupons. Mathews	79		
102	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and amended March 31, 1891, by amending Section 24 thereof, relating to the collection of assessments. Mathews	79		
103	An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year. Mathews	79	801	

Number	TITLE.	Introduced ...	Passed Senate	Passed Assem- bly
104	An Act appropriating the sum of \$5,000 for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California. Mathews	79	800	901
105	An Act appropriating \$6,500 to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California. Mathews	79		
106	An Act authorizing and requiring Boards or Commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations. Mathews	79	1070	1169
107	An Act to regulate the manufacture and sale of commercial fertilizers. Mathews	79		
108	An Act to authorize the several counties of this State to provide for the construction and operation of railroads within their several counties, and to create a bonded indebtedness for that purpose. Mathews	79		
109	An Act to amend Section 882 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Mathews	79		
110	An Act to amend Section 4235 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts. Orr	80	498	600
111	An Act to amend Sections 668 and 671 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts. Orr	80		
112	An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved March 28, 1893. Orr	80		
113	An Act to prevent the use of fraudulent marks on merchandise. Orr	80		
114	An Act to amend Subdivision 37 of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to appropriations to encourage immigration. Orr	80		
115	An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health, and the Board of Health of the City and County of San Francisco," approved March 31, 1891. Orr	80		
116	An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893. Orr	80	971	1132
117	An Act for the prevention of blindness, and to add a new section, to be numbered 3036, to the Political Code. Pedlar	80		
118	An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891. Pedlar	80		
119	An Act to reduce the number of Judges of the Superior Court of the County of Fresno, from three to two. Pedlar	80	714	824
120	An Act to amend Section 276 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors at law to practice in the Courts of record. Seawell	80		
121	An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury, to the uses of the Mendocino Asylum. Seawell	81	598	664
122	An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny. Seawell	81	357	493
123	An Act to amend Section 633, and to repeal Section 634 of the Code of Civil Procedure of the State of California. Seawell	81		
124	An Act making an appropriation to pay the deficiency in the appropriation for the support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years. Seawell	81	749	871

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
125	An Act to amend Section 792 of the Political Code of the State of California, relating to the qualifications of a Notary Public. Seawell	81		
126	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, relating to percentage to be collected by officers, to be known as Section 4334. Seawell	81		
127	An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor. Seawell	81	1034	1152
128	An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the Labor Commissioner and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided, as a condition of employment; to fix a penalty for the violation of the provisions of this Act by such corporations, and to provide for the disposition of any fines recovered from corporations violating the same. Seawell	81		
129	An Act to appropriate \$169,280 for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for 200 additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold-storage system; to appropriate money therefor, and provide for the expenditure of the same. Seawell	81	894	963.
130	An Act to amend Sections 10 and 11 of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the assistant physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation. Seawell	82		
131	An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893. Seymour	82		
132	An Act to amend Sections 1830, 1858, 1880, 1884, and 1670 of the Political Code, relating to the public schools. Seymour	82		
133	An Act to prohibit officers or employes of savings banks from holding any office in any national, commercial, or State bank, and to prohibit the location of any savings bank, or its continuance in business, in any building in which the business of a national, State, or commercial bank is conducted. Seymour	82		
134	An Act to make an appropriation to pay the claim of Frank H. Lombard for services rendered to the Board of Railroad Commissioners of the State of California, as shorthand reporter, for the years 1890, 1892, and 1893. Seymour	82		

Number	TITLE.	Introduced	Passed Senate.	Passed Assem- bly
135	An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the time and manner of assessing property. Seymour	82		
136	An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889. Seymour	82		
137	An Act to amend an Act entitled "An Act to provide for the erection and management of a State Hospital for the Insane, to be erected in Southern California," approved March 11, 1889, in relation to the salary of Secretary. Seymour	83		
138	An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates. Seymour	83		
139	An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year. Seymour	83		
140	An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates. Seymour	83		
141	An Act to repeal an Act entitled "An Act supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act," approved March 25, 1893. Seymour	83		
142	An Act regulating and fixing the liability of inn-keepers, hotel-keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling bags, bundles, packages, and their contents, and the personal property of guests, boarders, and lodgers, whether temporary or permanent, brought into or kept therein, and amending Sections 1859 and 1860 of the Civil Code. Seymour	83		
143	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Sections 57 and 186, relating to county officers, their appointments, duties, and compensation. Seymour	83		
144	An Act entitled an Act to provide for the inheriting of community property by married women upon the death of the husband. Langford	83		
145	An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent traveling on railroads without payment of fare. Langford	83		
146	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails. Langford	84		
147	An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms. Langford	84	957	1134
148	An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley. Shine	84	717	824
149	An Act for the protection of miners, and repealing all Acts in conflict therewith. Shine	84		
150	An Act making an appropriation for the erection of an additional building for the State Normal School at Chico. Shippee	84	527	
151	An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico. Shippee	84	528	

Number	TITLE.	Introduced	Passed Senate	Passed Assem- bly
152	An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico. Shippee.....	84	528	784
153	An Act to provide for the organization, incorporation, and government of townships. Simpson.....	84	879	997
154	An Act to repeal Section 2932 of the Civil Code, relating to a power of sale in a mortgage. Simpson.....	84		
155	An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1744, relating to a penalty for Public Administrators who do not file reports of estates in their charge. Simpson.....	84	360	496
156	An Act to amend Section 3046 of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof. Simpson.....	84		
157	An Act to amend Section 1214 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances. Simpson.....	84		
158	An Act to amend Section 1561 of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court. Simpson.....	85		
159	An Act to amend Section 172 of the Civil Code, relating to power of husband and wife over community property. Simpson.....	85		
160	An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 750, relating to quieting title to real property as against unknown claimants. Simpson.....	85		
161	An Act relating to estrays. Simpson.....	85		
162	An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor. Simpson.....	85	716	930
163	An Act to amend Section 1191 of the Civil Code, relating to the form of acknowledgment by married women. Simpson.....	85		
164	An Act to amend Section 1207 of the Civil Code, relating to notice and certified copies of records as evidence. Simpson.....	85		
165	An Act to amend Section 1093 of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants. Simpson.....	85		
166	An Act to amend Section 1704 of the Political Code, relative to the eligibility of persons to teach in the public schools of this State. Simpson.....	85		
167	An Act to amend Section 1365 of the Code of Civil Procedure, relative to the appointment of administrators. Simpson.....	85		
168	An Act to amend Chapter VII, Part III, Title IX, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as Section 3746½. Simpson.....	85		
169	An Act to amend Section 502 of the Civil Code, relating to time allowed for commencing work and completing the same under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed. Simpson.....	85		
170	An Act to provide for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto. Simpson.....	86		
171	An Act to amend Section 1539 of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents. Simpson.....	86		
172	An Act to amend Section 1582 of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property. Simpson.....	86		
173	An Act to amend Section 2324 of the Civil Code, relating to authority to sell real property. Simpson.....	86		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
174	An Act to amend Section 685 of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry. Simpson	86		
175	An Act to prevent damage from the overflow of artesian wells. Simpson	86		
176	An Act to amend Section 738 of the Code of Civil Procedure, relating to parties to an action to quiet title. Simpson	86		
177	An Act to amend Chapter II, Part IV, Title XIV, of the Civil Code, by adding thereto a new section, to be numbered as Section 3939½, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators. Simpson	86		
178	An Act to amend Section 3051 of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock. Simpson	86		
179	An Act to amend Section 671 of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor. Simpson	86		
180	An Act to amend Section 337 of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing executed in this State. Simpson	86		
181	An Act to amend Section 348 of the Code of Civil Procedure, relating to limitation of actions. Simpson	86		
182	An Act to amend Section 1739 of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates. Simpson	87	360	522
183	An Act to amend Section 1736 of the Code of Civil Procedure, relating to a report as to the condition of the estate. Simpson	87	601	782
184	An Act to amend Section 1735 of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration. Simpson	87	602	783
185	An Act to amend Section 416 of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions. Simpson	87		
186	An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 329, relating to the limitation of action to recover real property. Simpson	87		
187	An Act to amend Section 1094 of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women. Simpson	87		
188	An Act to amend Section 197 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Smith	87		
189	An Act to amend Sections 1094, 1095, 1096, 1100, 1101, 1103, 1105, 1113, 1115, 1116, and to repeal Sections 1098, 1099, and 1114 of the Political Code. Smith	87		
190	An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor. Smith	87		
191	An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872. Smith	87		
192	An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883. (Statutes 1883, p. 24.) Smith	88	627	
193	An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione, California. Voorheis	88	883	
194	An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California. Voorheis	88	882	998

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
195	An Act providing for the removal of human remains from cemeteries, in cities having a population of less than 5,000 and more than 1,500. Whitehurst	88	629	781
196	An Act to amend Section 224 of the Civil Code, regarding the adoption of children. Whitehurst	88	362	492
197	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Section 162, relating to the classification of counties and Section 216, providing for certain deputies and certain fees, and to insert a new section, to be numbered 170½, and to create a new class of counties of the eighth and one half class, relating to the government of counties. Withington	88	117	115
198	An Act to reduce the number of Judges of the Superior Court of San Diego County to two. Withington	88	357	496
199	An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers. Withington	88	875	999
200	An Act to establish a State Normal School at San Diego, California. Withington	88		
201	An Act to provide against the adulteration of food and drugs. Withington	89	564	783
202	An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abolish and annul such charter. Withington	89		
203	An Act to repeal Sections 154 and 155 of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872. Withington	89		
204	An Act to provide for the depositing of State and county funds in banks. Withington	89		
205	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 181 of said Act, relative to distances from the county seat of San Diego County. Withington	89		
206	An Act to amend Section 738 of the Code of Civil Procedure. Withington	89		
207	An Act to regulate the sale of milk. Withington	89	359	491
208	An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States. Withington	89	839	902
209	An Act to repeal Section 337 of the Penal Code. Hart	94		
210	An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualification of Judges. Hart	94		
211	An Act to provide for the purchase of a furnished residence for the Governor of California, and to appropriate money therefor. Hart	94		
212	An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895. Hart	94	799	901
213	An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor. Hart	94	800	901
214	An Act to purchase adjacent lands at the Folsom State Prison, for the use of State Prison, and making an appropriation therefor. Hart	94		
215	An Act to amend Sections 1859 and 1860 of the Civil Code, prescribing and limiting the liability of inn-keepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care. Seymour	94		
216	An Act to amend Sections 3765, 3773, 3778, 3780, 3781, 3785, 3788, 3816, 3817, and to repeal Sections 3774, 3775, 3776, 3777, 3779, 3782, 3783, 3784, and 3818 of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code,"			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
217	approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and re-sale of such property, and to add a new section thereto, to be known and designated as Section 3801, also relating to the sale of real property for delinquent taxes. Simpson	95		
218	An Act to amend "An Act relative to authorizing the husband or wife, or next of kin, of a deceased person, to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of five hundred dollars," approved February 18, 1874. Simpson	95		
219	An Act to amend Sections 626, 631, 632, 633, 634 of, and to add three new sections, to be numbered 627, 628, and 629, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game. Flint	95		
220	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Subdivision 29½ of Section 25 thereof, relative to the powers of Boards of Supervisors. Flint	95		
221	An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer. Flint	95		
222	An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and amendment thereto approved March 19, 1889. Pedlar	96	626	870
223	An Act to amend the Political Code, relating to payment of costs in cases of judgment rendered against delinquent purchasers of State lands. Voorheis	96		
224	An Act to repeal Section 13 of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893. Simpson	96	832	1150
225	An Act to amend Section 1270 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered Section 1271, relative to devises of real property by last will. McGowan	104		
226	An Act to amend Section 94 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of court reporters and the misconduct of judicial officers. McGowan	104	360	492
227	An Act to provide for the appointment and election of an additional Judge for the county of Humboldt. McGowan	104	358	469
228	An Act prohibiting discrimination by corporations engaged in supplying water or gas to the inhabitants of municipalities, and providing that deposits shall not be exacted for placing meters. McGowan	104		
229	An Act to amend Section 297 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation. Burke	104	360	492
230	An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having 100,000 or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter. Burke	104	616	784
231	An Act to amend Section 653 of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education. Gleaves	104	361	491
232	An Act to give legal standing to, and provide for, the licensing of public accountants. Gleaves	104		
	An Act providing for the election of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salary of each of said Judges. Aram	104		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
233	An Act to amend Section 3051 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens. Aram.	105	1164	1178
234	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as Section 3863, relating to percentages and commissions on poll taxes. Dunn.	105		
235	An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as Section 4½ and Section 13½. Denison.	105	825	1072
236	An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California. Earl.	105		
237	An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years. Earl.	105		
238	An Act appropriating money for the use of the two State forestry stations at Chico and Santa Monica. Earl.	105		
239	An Act to regulate the sale and redemption of transportation tickets. Hoyt.	105	491	742
240	An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor. Mathews.	105		
241	An Act to amend Section 1858 of the Political Code, relating to the apportionment of teachers. Seawell.	105		
242	An Act to amend Sections 3481 and 3482 of the Political Code, relating to the division of swamp land districts. Langford.	105	498	522
243	An Act to promote the protection of cities, towns, and municipal corporations from overflow by water, and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protection and other works. Langford.	105		
244	An Act to amend Section 2924 of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages. Ford.	106		
245	An Act to amend Subdivision 16 of Section 194 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of official reporters in counties of the thirty-second class. Orr.	106		
246	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Bert.	106		
247	An Act to repeal (1) "An Act appropriating money for the erection of a building in the City of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates. Bert.	106	1022	1151
248	An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California. Shippee.	106	904	1002
249	An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 310, defining cruelty to animals, and providing for its punishment. Pedlar.	106		
250	An Act to provide one additional Judge of the Superior Court of the County of Sacramento. Hart.	106	472	600

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
251	An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor. Hart	106		
252	An Act to amend an Act approved March 26, 1872, entitled "An Act to establish pilots and pilot regulations for the port of San Diego." Withington	106		
253	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as Sections 1882 and 1885, being a part of Part IV, Title II, Chapter II, concerning witnesses. Withington	107		
254	An Act to provide for the purchase of a portrait of ex-Governor Markham by the Secretary of State, and to appropriate money therefor. Mitchell	107		
255	An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts. Langford	107		
256	An Act to amend Section 1401 of the Civil Code, relative to the disposition of, and succession to, community property derived by surviving husbands upon the death of the wife. McGowan	109		
257	An Act to add a new section, to be numbered 515, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement. McGowan	110	470	579
258	An Act to add to Part II, Division 2d, of the Civil Code, a new title, to be known as Title V, containing eighteen sections, to be numbered 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, and 895, relating to mining laws and forming mining districts. Voorheis	110		
259	An Act to amend Section 1142 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872. Burke	110		
260	An Act to amend Section 368 of the Political Code, relative to appointment of executive officers by the Governor. Langford	110		
261	An Act to amend Section 4, and to repeal Sections 5, 6, and 7 of an Act entitled "An Act to provide for fitting up in the basement of the Capitol building a moisture-proof, fire-proof, and burglar-proof vault for storage and care of the archives of the State offices, for the appointment of a keeper of the archives, defining his duties, fixing his salary, and appropriating money for the purposes appertaining thereto," approved March 25, 1889. Langford	110		
262	An Act to repeal "An Act to establish a standard of weights and measures," approved April 6, 1891. Langford	110		
263	An Act to amend Section 47 of the Code of Civil Procedure, relating to the place of holding the sessions of the Supreme Court. Langford	110		
264	An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of \$2,500 therefor," approved March 10, 1891. Langford	110		
265	An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889. Langford	110	1108	
266	An Act to repeal Sections 642 and 643 of the Political Code, relating to the Fish Commissioners. Langford	111		
267	An Act to repeal an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893. Langford	111		
268	An Act to repeal Sections 1, 2, 3, 4, 5, 6, 7, and 10 of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers,			

Number	TITLE.	Introduced	Passed Senate	Passed a second time
	and to protect the interests of horticulture and viticulture," approved March 4, 1881; also, to repeal an Act entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," approved February 26, 1885, and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners; to continue in force Sections 8 and 9 of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, and enlarging the privileges of the Department of Agriculture of the University of California. Langford.....	111		
269	An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880, and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the funds provided for their maintenance, to the University of California. Langford.....	111		
270	An Act to amend Section 537 of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding-houses, and lodging-houses. Whitehurst.....	111	835	1000
271	An Act to amend Section 1 of an Act entitled "An Act amendatory of and supplemental to an Act to create a Police Court in and for the City and County of San Francisco," which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Police Court. Bert.....	111		
272	An Act to amend Section 8 of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the compensation of the official stenographers of said Police Court. Bert.....	111		
273	An Act to add a new section to the Penal Code, to be known as Section 919½, relating to witnesses before grand juries. Bert.....	112		
274	An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail. Mahoney.....	112		
275	An Act to amend Section 2800 of the Political Code, relating to the purchase of toll roads by counties. Flint.....	112	940	1131
276	An Act to amend Section 1469 of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of \$1,500. Seymour.....	112		
277	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the payment of judgments docketed. Seymour.....	112		
278	An Act relating to the trial of actions for a divorce. Seymour.....	112		
279	An Act to amend Section 3785 of the Political Code, relating to making deeds to property sold for taxes, giving notice thereof, and directing the State Controller to act for the State. Seymour.....	112		
280	An Act to amend Section 1691 of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators. Holloway.....	112	1051	1153
281	An Act to add a new section to the Political Code, to be known and designated as Section 3022½, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto, and also to repeal an Act entitled "An Act relating to the Home of the Inebriates at San Francisco, and to prescribe the powers and duties of the Board of Managers, and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act. Arms	112	517	783
282	An Act to amend Sections 1768, 1770, 1777, 1788, 1789, and repealing Sections 1778, 1781, 1782, 1783, 1784, 1785, 1786, 1787, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as Section 1771½, also relating to the guardianship of the persons and estates of minors and incompetents. Simpson	113		
283	An Act to amend Sections 1303, 1323, 1365, 1388, 1439, 1516, 1517, 1536, 1545, 1547, 1548, 1550, 1551, 1552, 1553, 1554, 1557, 1558, 1565, 1592, 1597, 1598, 1599, and Section 1618, and to repeal Sections 1518, 1519, 1522, 1523, 1524, 1526, 1529, 1530, 1531, 1532, 1533, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1549, and Section 1556, and to add four new sections, to be known and designated as Sections 1546, 1554½, 1592, and 1597½, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons. Simpson	113		
284	An Act to create and establish a permanent standing commission for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said Commission and Secretary, and to appropriate money therefor. Ford	114		
285	An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor. Ford	114		
286	An Act to amend Section 1054 of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done. Ford	114	201	193
287	An Act to amend Section 3440 of the Civil Code of the State of California. Beard	114		
288	An Act to amend Section 3535 of the Political Code. Beard	114		
289	An Act providing for the improvement of streets and roads, and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts, where the population is at least 500, and the manner of ascertaining said population. Beard	114	712	1143
290	An Act to amend Sections 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, and 23 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 31, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered 24, 25, and 26, relating to the powers and duties of such Commissioners. Orr	114	768	871
291	An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature. Withington	114	443	730
292	An Act to amend Sections 1912, 1918, 1923, 1929, 1932, 1936, 1942, 1955, 1962, 1970, 1974, 1980, 1984, 1985, 1990, 2003, 2004, 2006, 2007, 2024, 2027, 2048, and 2083 of the Political Code of California, and to add one new section thereto, to be known and numbered as Section 1991, relating to the National Guard. Gleaves	123		

Number	TITLE.	Introduced	Passed Senate	Passed Assem- bly
293	An Act to amend Section 731 of the Penal Code of the State of California, and to add a new section thereto, to be known as Section 734, relating to the suppression of riots and parading of independent companies. Gleaves	123		
294	An Act entitled an Act to amend Section 204 of the Code of Civil Procedure, relating to the selecting and returning of jurors. Earl	123		
295	An Act to provide for holding an annual exhibition in Southern California, to be known as Southern California State Fair. Mathews	123		
296	An Act to amend Section 339 of the Code of Civil Procedure of the State of California, relating to limitation of actions. Mathews	123		
297	An Act to amend Section 337 of the Code of Civil Procedure of the State of California, relating to the limitation of actions. Mathews	124		
298	An Act to amend Section 336 of the Code of Civil Procedure of the State of California, relating to the limitation of actions. Mathews	124		
299	An Act to amend Section 1241 of the Civil Code of the State of California, relating to when homestead is subject to execution. Mathews	124		
300	An Act to amend Section 1260 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the selection of a homestead and the value thereof. Mathews	124		
301	An Act to amend Section 685 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years. Mathews	124		
302	An Act to provide for prosecuting attorneys for Police Courts in cities having more than 50,000 and under 150,000 inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys. Mathews	124		
303	An Act to amend Sections 541, 542, 543, and 546 of the Code of Civil Procedure of the State of California, relating to attachments. McGowan	124		
304	An Act making an appropriation to pay the claims of John Barry and William Connor. McGowan	124		
305	An Act to prevent fraudulent or wash sales of goods sold on commission, and to prevent dishonest returns of sales, and to provide a punishment therefor. Aram	124		
306	An Act to amend Section 1098 of the Penal Code of California, in relation to the trial of criminal cases, either separately or jointly, in the discretion of the Court. Aram	124		
307	An Act to repeal an Act entitled "An Act to create the office of Attorney for the State Board of Health of the City and County of San Francisco," approved March 31, 1891. Mahoney	124		
308	An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights. Seymour	124		
309	An Act entitled an Act to restrain the racing, running, trotting, or pacing of certain animals on racetracks in this State, between certain days, and limiting the period during which it shall be lawful to permit, carry on, or conduct race meetings or speed contests in this State, and making the violation of this Act a felony, and designating the punishment therefor. Seymour	125		
310	An Act to amend Sections 2, 6, 11, 15, 17, and 18 of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, and to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893. McAllister	125	359	491
311	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as Section 1269, relating to elections. Fay	125		

Number	TITLE.	Introduced ...	Passed Senate	Passed Assem- bly
312	An Act entitled an Act to amend Chapter CXVII of the Penal Code, concerning vagrants. Bert	125		
313	An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased person when inquests are held, and fixing the compensation therefor. Bert	125	313	616
314	An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax. Mitchell	125		
315	An Act to amend Section 1651 of the Political Code of the State of California, relating to the duties and compensation of clerks of school districts. Gesford	125		
316	An Act to amend Section 2955 of the Civil Code of the State of California, relating to mortgage of personal property. Gesford	125		
317	An Act providing for changing the fiscal year of cities in this State operating under a charter framed under Section 8, Article XI, of the Constitution. Withington	125		
318	An Act to amend Section 3794 and Section 3608 of the Political Code of this State, relating to assessment and taxation. Withington	125		
319	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered 288 and 289, to punish the crime of open and notorious cohabitation and adultery. Withington	126		
320	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing Section 60 of said Civil Code. Withington	126	474	
321	An Act to amend Section 3777 of the Political Code of the State of California. Withington	126		
322	An Act to amend Section 1 of an Act entitled "An Act to provide for the levy and collection of taxes, by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under Section 8, Article XI, of the Constitution," approved March 2, 1891. Withington	126		
323	An Act to amend Sections 3765, 3773, 3778, 3780, 3781, 3785, 3788, 3813, 3816, and Section 3817, and to repeal Sections 3774, 3775, 3776, 3777, 3779, 3782, 3783, 3784, and Section 3818, of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and re-sale of such property, and to add a new section thereto, to be known and designated as Section 3801, also relating to the sale of real property for delinquent taxes. Withington	126		
324	An Act to add a new section to the Political Code, to be numbered Section 3818, in relation to the cancellation of tax sales to the State. Withington	126		
325	An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor. Smith	126	485	
326	An Act to provide for the purchase of certain portraits. Hart	127		
327	An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year. Voorheis	127	443	815

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
328	An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days. Whitehurst	127	1053	1153
329	An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days. Whitehurst	127	1053	1153
330	An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days. Whitehurst	127	1052	1153
331	An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum. Orr	127	714	823
332	An Act to amend Section 717 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands. Orr	127	1052	1144
333	An Act to amend Section 944 of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts. Orr	127		
334	An Act to amend Sections 1426, 1427, and 1452 of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing action before a Justice or a Police Court for a public offense. Orr	127		
335	An Act to amend Sections 915 and 919, and to repeal Sections 916, 931, 932, 933, 934, 935, 936, and 937 of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to presentments by a grand jury. Orr	127		
336	An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same. Pedlar	127		
337	An Act to amend Chapter I, Part II, Title IX, of the Penal Code, by adding thereto a new section, to be numbered 1247, relating to appeals to the Supreme Court of this State, from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place. Ford	128		
338	An Act to amend Section 241 of the Code of Civil Procedure, relating to the drawing of grand juries. Simpson	128		
339	An Act to amend Section 1435 of the Penal Code, relating to waiver of trial by jury. Simpson	128		
340	An Act to amend Section 896 of the Penal Code, relating to the challenge of grand jurors. Simpson	128		
341	An Act to amend Section 218 of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains. Simpson	128		
342	An Act to amend Sections 811, 812, and 864 of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint. Simpson	128		
343	An Act to amend Section 1476 of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed. Simpson	128		
344	An Act to amend Sections 1552 and 1553 of the Political Code, relating to the public schools. Flint	128		
345	An Act entitled "An Act to amend Section 4121 of the Political Code." Seawell	128		
346	An Act to amend Section 3491 of the Political Code, relating to the election of trustees of reclamation districts. Langford	128		
347	An Act entitled "An Act to amend Section 276 of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law." Earl	134	602	665
348	An Act to amend an Act entitled "An Act to establish a Naval Battalion, to be attached to the National Guard of California." Earl	134		
349	An Act to amend Section 1 of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incor-			

Number	TITLE.	Introduced ...	Passed Senate.	Passed Assembly
	porated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893. Hoyt	134	713	1142
350	An Act to add a new article to Chapter I of Title II, Part III, of the Political Code of the State of California, to be known and designated as Article IV, and to add six new sections, to be known and designated as Sections 1075, 1076, 1077, 1078, 1079, and 1080, relative to County, City, and City and County Boards of Election Commissioners. Fay	135		
351	An Act to establish a uniform system of primary elections, regulating the conduct and management, and providing for the punishment of the violation thereof. Fay	135		
352	An Act to amend Section 2652 of the Political Code, relating to road poll taxes. Simpson	135		
353	An Act to appropriate the sum of \$300 to pay the claim of A. L. Wood for the capture of Francisco Torres. Withington.	135		
354	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Section 66 thereof, relating to the residence of county officers. Franck	135		
355	An Act to provide for the formation, government, operation, and dissolution of street lighting districts in any part of the State, outside of the limits of incorporated cities and towns, for the lighting of streets and roads, the calling and conducting of elections in such districts, the assessment, levy, and collection, custody and disbursement of taxes therein. Beard	135		
356	An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893. Ford	135	1062	
357	An Act to amend Section 632 of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed. Mathews	135		
358	An Act to amend Section 398 of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified. Mathews	135		
359	An Act to amend Section 950 of the Code of Civil Procedure of the State of California, relating to appeals from judgment. Mathews	135		
360	An Act to amend Section 397 of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial. Mathews	136		
361	An Act to amend Section 659 of the Code of Civil Procedure of the State of California, relating to new trials. Mathews	136		
362	An Act to amend Section 650 of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exceptions. Mathews	136		
363	An Act to amend Section 660 of the Code of Civil Procedure of the State of California, relating to new trials. Mathews	136		
364	An Act to enable all counties, incorporated towns or cities, or consolidated cities and counties of this State, to use patented automatic voting or ballot machines at all elections therein. Bert	136		
365	An Act appropriating money to pay for the repair, renovation, re-flooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California. Langford.	136	443	601
366	An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years. Langford	136	443	
367	An Act to provide for the better protection and security of life and property, and for the appointment of an Examining Engineer, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said engineer. Mahoney	138	1024	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
368	An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature Voorheis			
369	An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds. Voorheis	139	192	195
370	An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection and inquiry into, by said Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State Institutions, Commissions, Boards, and Officers, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof, by said Board of Examiners. Hart	139	627	1019
371	An Act to amend Sections 499 and 501 of the Civil Code of the State of California, relating to street railroads. Seymour	146		
372	An Act to amend Section 2652 of an Act entitled "An Act to amend Sections 2641, 2642, 2643, 2645, 2646, and 2652, and to repeal Section 2644 of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder," approved March 31, 1891. Seawell	146		
373	An Act repealing Chapter XCVI of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883. Langford	146		
374	An Act to establish the due execution and attestation of last wills and testaments. Orr	146	342	521
375	An Act to create agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, and to repeal all amendatory Acts thereof, and to provide for the disposition of State property and records now in possession of the Agricultural Associations of the State. Langford	150		
376	An Act to amend Section 3491 of the Political Code, relating to the election of trustees of reclamation districts. Hoyt	150	1069	
377	An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association, at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor. Franck	150		
378	An Act to amend Section 1799 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians. Seymour	151		
379	An Act to amend Section 752 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California. Seymour	151		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
380	An Act to amend Section 1263 by adding Subdivision 5 thereto, and Sections 1264, 1267, and 1268 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead and the rights arising therefrom. Seymour	151		
381	An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered 14½. Seymour	151		
382	An Act to amend Section 670 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll. Seymour	151		
383	An Act to amend Section 324 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property. Seymour	151		
384	An Act to amend Section 68 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the solemnizing of marriage. Seymour	151		
385	An Act to amend Section 1030 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit brought. Seymour	151		
386	An Act to amend Sections 336, 337, 338, 339, and 340 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property. Seymour	151		
387	An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State, for services rendered by him in his official capacity. Seymour	151		
388	An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company, for wharfage illegally collected. Henderson	152	841	903
389	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Henderson	152		
390	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as Section 3862, relating to percentages and commissions on poll taxes. Fay	152		
391	An Act to amend Sections 245 and 246 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature. McAllister	152	977	1135
392	An Act to provide for the certification of land titles, and the simplification of the transfer of real estate. McAllister	152		
393	An Act to make an appropriation to pay the claim of Alice Lampson Dodge, for services rendered by her assignors as members of the Constitutional Convention during the years 1878 and 1879. Shine	152		
394	An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor. Langford	152		
395	An Act to diminish the number of Judges of the Superior Court of this State in and for the county of Tulare. Linder	152		
396	An Act to regulate the sale and manufacture of commercial fertilizers. Simpson	152		
397	An Act to amend Sections 2641, 2642, 2643, and 2645, and to add two new sections, to be known as Sections 2640 and 2644, all of the Political Code of the State of California, and relating to the powers and duties of highway officers. Holloway	152		
398	An Act to amend Sections 2, 5, 7, and 10 of an Act entitled "An Act to establish free public libraries and reading-			

Number	TITLE.	Introduced.	Passed Senate	Passed Assembly
	rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the trustees, to fix term of office of trustees, and to provide the manner of their election, in cities of less than 100,000 population. Holloway	153		
399	An Act to amend Subdivision 11 of Section 1543 of an Act entitled "An Act to establish a Political Code," relating to the general duties of School Superintendents. Pedlar	153		
400	An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rogers for the services rendered in running the elevator in the State Capitol. Bert	153		
401	An Act to amend Section 631 of the Code of Civil Procedure. Orr	153		
402	An Act relating to the proof and recording of maps of real estate. Orr	153	883	1071
403	An Act to amend Section 171 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prisons and bringing articles into the State Prisons. Hart	153		
404	An Act to authorize the Directors of the Mendocino Asylum to purchase additional lands for the use of said Asylum. Seawell	153		
405	An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year. Voorheis	161		
406	An Act appropriating money to pay the claim of T. Carl Spelling for legal services. Voorheis	161		
407	An Act to create and administer a School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State. Bert	161		
408	An Act to amend Section 3002 of the Civil Code of the State of California, relating to pledges. Hoyt	161		
409	An Act to amend Section 17 of the Political Code, relative to certain words and what they include. Simpson	161		
410	An Act to amend Section 14 of the Civil Code, relating to certain terms defined. Simpson	161		
411	An Act to amend Section 17 of the Code of Civil Procedure, relating to certain terms defined. Simpson	162		
412	An Act to amend Section 7 of the Penal Code, relating to certain words, and what included in definition. Simpson	162		
413	An Act to permit the formation of special road districts, and provide for additional taxes for road purposes. Simpson	162		
414	An Act to amend Sections 226 and 227, and to repeal Section 230 of the Civil Code, relating to adoption. Ford	162		
415	An Act to amend Section 192 of the Penal Code, relating to homicide. Ford	162		
416	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as Section 276, relating to abortions. Ford	162		
417	An Act appropriating the sum of \$6,000 for tiling the first floor of the State Capitol. Hart	169	485	785
418	An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years. Hart	169		
419	An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891. Hart	169		
420	An Act to amend an Act entitled "An Act to establish a Penal Code," relating to crime of rape. Earl	170		
421	An Act to amend Sections 851, 852, and 853 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Earl	170		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
422	An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed, and material furnished, under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State. Earl	170	599	665
423	An Act entitled an Act to amend Section 2955 of the Civil Code, relative to mortgages on personal property. Simpson	170		
424	An Act to determine the term of office, and the bond to be required of the Superintendent of Dredgers, and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners. Flint	170	1099	1172
425	An Act to amend Section 1624 of the Civil Code, relating to the manner of creating contracts. Flint	170		
426	An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January, of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of \$1,600. Smith	170	570	828
427	An Act to repeal "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises," approved March 23, 1893. Mathews	170		
428	An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year. Seymour	170		
429	An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates. Seymour	170	395	318
430	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Section 18 thereof. Seymour	170		
431	An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years. Voorheis	171	442	731
432	An Act to amend Section 2926 of the Civil Code, relating to mortgage of real property, on what a lien. Pedlar	171		
433	An Act to amend Section 744 of the Code of Civil Procedure, relating to mortgages of real property. Pedlar	171		
434	An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 502½, relating to the severance and removal of fixtures and improvements upon mortgaged property. Pedlar	171	880	1071
435	An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered Section 12, relative to the better protection of fish placed in streams for the purpose of propagation. Henderson	171		
436	An Act to appropriate the sum of \$5,000 for repairs to the buildings of the State Normal School at San José. Franck	171	528	581
437	An Act to appropriate \$5,000 for repairs and improvements upon the grounds of the State Normal School at San José. Franck	171	528	582
438	An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years. Franck	171	825	597
439	An Act providing for the judicial establishment of wills, and of the status of testators, as related to wills so established, and for the custody and revocation of such wills. McGowan	171		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
440	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 397 and 398 thereof, relative to place of trial. Withington	171		
441	An Act to amend the Civil Code by adding a new section thereto, numbered 811. Withington	172		
442	An Act to amend Section 689 of the Penal Code of the State of California, relating to the trial by jury of public offenses. Withington	172		
443	An Act to amend Sections 851, 852, and 857 of Chapter VII of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. McAllister	172		
444	An Act to amend Section 5 of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893. Seawell	172		
445	An Act to amend Sections 3731, 3753, 3816, 3823, 3826, 3829, 3889, 3898, and 3900 of the Political Code, respecting the assessment and collection of taxes. Mathews	172		
446	An Act to amend Section 4121 of the Political Code, prohibiting Clerks, Sheriffs, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law or acting as attorneys or counselors at law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public. Seawell	172	905	1142
447	An Act to provide for the appointment of attorneys for foreign corporations, on whom service can be made. Withington	172		
448	An Act making an appropriation to pay the claim of R. B. Young, for architect's fees, for erection and construction of power and electric plant at the Whittier State School. Androus	175	968	1133
449	An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same. Androus	175	928	1027
450	An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending Sections 16 and 18 of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto. Androus	175		
451	An Act to authorize payment for service rendered in county of tenth class, now in thirteenth class. Hoyt	175		
452	An Act to amend Sections 2648 and 2686 of the Political Code, relating to highways. Smith	175		
453	An Act to amend Section 798 of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto. Ford	176		
454	An Act to amend Section 1416 of the Civil Code of this State, relating to water rights. Beard	176		
455	An Act to amend Section 1365 of the Code of Civil Procedure, relating to letters of administration. Hart	176		
456	An Act to provide for a general primary election within the State of California, and to promote the purity thereof, by regulating the conduct thereof, and to support the privilege of free suffrage thereat, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof. Arms	187		
457	An Act to amend Section 1543 of "An Act to establish a Political Code," approved March 12, 1872. McAllister	187		

Number	TITLE.	Introduced ...	Passed Senate.	Passed Assem- by
458	An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891," and amended by an Act approved March 23, 1893, amending Section 8, and adding two sections thereto. Orr	187		
459	An Act to amend Section 308 of the Penal Code of California, relating to the sale or furnishing of tobacco, or preparations of tobacco, to persons under sixteen years of age. Seawell	187		
460	An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns. Arms	197	977	1148
461	An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-fourth fiscal year. Voorheis	197		
462	An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California. Androus	197	613	822
463	An Act to appropriate money to pay the claim of Charlotte M. Holman. Hoyt	197		
464	An Act amending an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Section 37 of said Act, relating to the levy of assessments. Linder	197		
465	An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties. Linder	197	873	
466	An Act to regulate the licensing and powers of detectives within the boundaries of the State of California. Earl	197		
467	An Act to amend Section 3678 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured. Earl	197	500	
468	An Act to appropriate the sum of \$1,052 for the payment of the claim of Jerome Deasy. Earl	197		
469	An Act to amend Section 143 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, said amended section relating to the duties of County Surveyors. Earl	197		
470	An Act to amend Section 456 of the Civil Code, relating to the borrowing of money, and the issuance of bonds by railroad corporations. Earl	198		
471	An Act to amend Section 202 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to the compensation of county and township officers of counties of the fortieth class. Gesford	198		
472	An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties. Seawell	198		
473	An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children,			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	to establish an electric light plant therein, to provide accommodation for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor. Holloway-----	201	899	1024
474	An Act to provide a depository for the county funds. Holloway-----	202		
475	An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Hart-----	202		
476	An Act to pay the claim of Fred Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners. Hart-----	202		
477	An Act prescribing the period in each year during which racing may take place upon any race track or grounds within the State of California. Hart-----	202		
478	An Act to repeal an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary, and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof," as approved March 23, 1893. Seymour-----	202		
479	An Act to amend Section 160, as amended March 15, 1887, of "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Court by Superior Judges of other counties, and providing for their actual expenses. Shine-----	202		
480	An Act to amend Section 147 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Shine-----	202		
481	An Act to regulate the practice of architecture. Mathews-----	202		
482	An Act to establish kindergarten schools, and to provide for the maintenance, support, and conduct of the same. McAllister-----	207		
483	An Act to amend Sections 1094, 1096, 1113, 1114, 1115, and 1116 of the Political Code of the State of California. Fay-----	207		
484	An Act to amend Sections 1083 and 1084 of the Political Code of the State of California, defining the qualifications and disabilities of electors. Fay-----	207		
485	An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 1324. Fay-----	207		
486	An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as Section 40, in relation to punishment of crimes against election laws. Fay-----	208	1098	1172
487	An Act providing for the giving of bonds by all persons who shall sell or give away malt, spirituous, or vinous liquors within the State of California. Simpson-----	208		
488	An Act to establish a naval brigade, to be attached to the National Guard of California. Burke-----	208		
489	An Act authorizing the State Capitol Commissioners to improve certain streets in the City of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor. Hart-----	209		
490	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Section 173 thereof, relating to counties of the eleventh class. Linder-----	209		
491	An Act to amend Section 836 of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts. Linder-----	209		
492	An Act to appoint a committee to locate a penitentiary at some point in San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Kings, Kern, San Benito, or Inyo County. Androus-----	209		

Number	TITLE.	Introduced	Passed Senate.	Passed a session by
493	An Act to amend Sections 806 and 807 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Linder			
494	An Act to amend Sections 939, 943, and 963 of the Code of Civil Procedure, concerning appeals. Ford	209		
495	An Act to amend Sections 2021, 2031, and 2032 of the Code of Civil Procedure, relating to depositions of witnesses in this State. Ford	214		
496	An Act to amend Sections 1306 and 1307 of the Civil Code, relating to wills. Ford	214		
497	An Act to amend Section 1465 of the Code of Civil Procedure. Franck	214		
498	An Act to add a new section to the Code of Civil Procedure, to be known as Section 730, relating to sales by Commissioner under decree of foreclosure of mortgage. Franck	214		
499	An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, Calaveras, and Siskiyou. Gleaves	214		
500	An Act regulating presumptions on appeal. Seawell	214		
501	An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895. Voorheis	229		
502	An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite. Voorheis	229		
503	An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School. Voorheis	229		
504	An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps. Gleaves	229	621	786
505	An Act to appropriate \$1,715 for the redemption of swamp land certificates 2,097, 3,370, 3,369, 4,651, 11,067, and 5,723. Gleaves	229		
506	An Act to amend Chapter IX, Part II, Title VI, of the Penal Code, by adding thereto a new section, to be numbered 1053, relating to postponement of trials of criminal actions. Ford	229		
507	An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 750. Ford	229		
508	An Act to create a State Board of Public Charities and Correction, and defining their powers and duties. Seymour	229		
509	An Act entitled an Act to prevent deception in the sale of cheese. Seymour	229		
510	An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways. Seymour	229		
511	An Act to amend Sections 751, 752, 754, 796, and 804 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Androus	229	1192	1180
512	An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same. Earl	230	1049	
513	An Act to amend Sections 226 and 227, and to repeal Section 230 of the Civil Code, relating to adoption. Flint	230		
514	An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain. Henderson	230	713	823

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
515	An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over 100,000 inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, numbered 15 and 16, respectively, providing for the appointment of certain clerks, to be known as Fee Clerks, prescribing the duties of such clerks, and regulating and providing for their salary. Henderson	230		
516	An Act prohibiting the burial of the dead within the corporate limits of an incorporated city, or city and county, of over 100,000 inhabitants, from and after the first day of January, 1900. Henderson	230		
517	An Act to appropriate \$7,500 as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service. Henderson	230		
518	An Act providing for the sale of salt marsh and tide lands capable of reclamation for agricultural purposes. Bert	230		
519	An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending Section 851 thereof, relative to the officers of municipal incorporations of the sixth class. Gesford	230	510	782
520	An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith. Hart	231		
521	An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts. Linder	231	938	1149
522	An Act to amend Section 3446 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts. Linder	231	1101	1173
523	An Act to amend Section 5 of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893. Linder	231	1064	
524	An Act to add a new section to the Civil Code, to be known as Section 328, relating to stock and stockholders of corporations. Linder	231		
525	An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines. Dunn	231		
526	An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon. Dunn	231	1020	
527	An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887. Beard	231	1026	
528	An Act to amend Subdivision 4 of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Beard	231		
529	An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1863. Pedlar	231	528	
530	An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893. Arms	234		
531	An Act to re-form the Police Court of the City and County of San Francisco, State of California, and regulate the procedure thereof. Arms	234		
532	An Act to amend Sections 1551, 1576, 1617, 1669, 1770, 1830, 1858, 1882, 1884, and 1885 of the Political Code, relating to the public schools. Orr	234		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
533	An Act to amend Section 1636 of the Political Code of the State of California, relating to the duties of Census Marshals. Seawell	243		
534	An Act to amend Section 1768 of the Political Code of the State of California, relating to County Boards of Education. Seawell	243		
535	An Act establishing a Commission to revise and compile the laws of the State of California, and to re-codify the several Codes thereof, and amendments thereto. Seawell	243		
536	An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employes; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and in case of such absence, the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same. Seawell	243		
537	An Act to provide for the compensation of the chiefs and captains of police, and police officers, in all municipal corporations of the third and fourth classes in the State of California. Seawell	244		
538	An Act to pay the claim of George Miller for damage done by the storm water and sewerage of the Southern California State Asylum for the Insane and Inebriates. Seymour	244		
539	An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family. Seymour	244	1100	1166
540	An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor. Seymour	244		
541	An Act to protect life and property from destruction by electric wires. Seymour	244		
542	An Act to amend Section 3658 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the furnishing of the County Assessor with maps. Earl	244		
543	An Act to afford greater security to passengers upon stage coaches, wagons, and other conveyances in or upon which express matter, gold or silver bullion, money, treasure, or other valuable thing or things in the custody or under the control of any express company, as a common carrier, is usually carried; relating to the duties of express companies, and prohibiting armed guards, agents, or messengers from riding in or upon stage coaches, wagons, and other conveyances engaged in carrying passengers for hire, and providing penalties for a violation of or failure to comply with the provisions of this Act. Voorheis	244		
544	An Act to amend the Penal Code by adding two new sections, to be known as 1089 and 1090 of the Penal Code of the State of California, relative to substitute jurors. Voorheis	244	839	1064
545	An Act to amend Section 2168 of the Civil Code of the State of California. Mitchell	244		
546	An Act to amend Sections 628 and 630 of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to gas corporations. Toner	245		
547	An Act to amend Sections 307 and 312 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof. Mahoney	245		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
548	An Act to amend Sections 332 and 342 of the Civil Code, relative to assessments, and the sale of the stock of corporations. Mahoney	245		
549	An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever. Mahoney	245		
550	An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California. Franck	245	992	981
551	An Act to prevent waste on mortgaged premises, and providing for the punishment for a violation thereof. Shine	245		
552	An Act providing for the incorporation of banking corporations, defining the same, and providing for the government, regulation, and control of all such corporations organized under the laws of this State, or of any other State, Territory, or foreign country, doing business within this State, and of all other corporations, companies, partnerships, firms, and individuals doing a banking business within this State. Shine	245		
553	An Act to appropriate money to aid in erecting a monument over the grave of the late Secretary of State, E. G. Waite, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto. Hart	245		
554	An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys. Hart	245		
555	An Act to provide for a Commission to investigate public offices, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof, and to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance and misappropriation of public moneys, or public property, by such officers, employés, and attachés, and their official misconduct generally, and to investigate violations of the election laws. Flint	246		
556	An Act to appropriate money for the purchase of the Coulterville and Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley. Beard ..	246		
557	An Act to regulate the price of telegraph messages in the State of California. Voorheis	252		
558	An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases. Langford	252	908	1002
559	An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps. Seawell	260		
560	An Act to amend Section 28 of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof." Aram	260	1025	1150
561	An Act to amend the Civil Code of the State of California by adding to Part IV, Chapter I, Division III, a new section, to be known as Section 1742, relating to contracts for the sale and future delivery of personal property. Flint	260		
562	An Act to repeal an Act entitled "An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner," approved March 24, 1893. Seymour	260		
563	An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	in the performance of their duties, and to require insurance companies to make annual reports of personal property insured. Seymour	260		
564	An Act to amend Section 2168 of the Civil Code, relating to common carriers. Seymour	260		
565	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 1617, 1662, and 1663 of said Code, and by adding two new sections to said Code, to be numbered and known as Sections 1674 and 1705, relating to the establishment of kindergarten classes in primary schools. McAllister	260		
566	An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State, upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground, or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances. Earl	261	1021	1177
567	An Act to amend Sections 1670 and 1671 of the Political Code, relating to high schools. Earl	261		
568	An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at \$87 50 per month. Hoyt	261		
569	An Act to amend Section 1489 of the Political Code, relating to State Normal Schools. Franck	261		
570	An Act to amend Sections 531 and 532 of the Political Code, and Section 99 of the Penal Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State. Hart	261	679	784
571	An Act to create the Sacramento Valley Drainage District, and defining its boundaries, and to provide for the government and management thereof; for the appointment of officers, and prescribing their compensation; for the levy, equalization, and collection of assessments; for sale of property for non-payment of assessments; for appointment of Commissioners to fix assessments; for the construction and maintenance of canals, water ways, and other drainage works to drain the lands of said district, and secure the same from overflow; conferring powers and imposing duties upon the Commissioner of Public Works in relation to said drainage district, and providing for the judicial examination of the organization of the district, and prescribing a statute of limitations. Hart	261		
572	An Act to provide for the erection of a suspension bridge over the Klamath River, below tidewater, in Del Norte County, California. McGowan	261		
573	An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to members of the Society of California Pioneers. McGowan	262		
574	An Act to repeal an Act of the Legislature of the State of California, entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties, of this State, to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes. McGowan	262		
575	An Act to amend Section 3820 of the Political Code of the State of California, and to add a new section thereto, to be numbered Section 3831, relating to the duty of Assessors in the collection of revenues. McGowan	262	1165	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
576	An Act to amend Sections 2021, 2031, and 2032 of the Code of Civil Procedure, relating to depositions of witnesses in this State. McGowan	262		
577	An Act to amend Sections 1306 and 1307 of the Civil Code, relating to wills. McGowan	262		
578	An Act to amend Sections 939, 943, and 963 of the Code of Civil Procedure, concerning appeals. McGowan	262		
579	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1704 of said Act, relative to recording papers in probate proceedings. Withington	262		
580	An Act declaring the Petaluma River navigable, and a public way from and to certain points herein named. Holloway	264		
581	An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail. Linder	268		
582	An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and making an appropriation therefor. Simpson	271		
583	An Act authorizing the Clerk of the Supreme Court to re-cover old records, and fitting proper store-room for same, and making an appropriation therefor. Simpson	271		
584	An Act repealing an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893. Simpson	272		
585	An Act to amend Section 1444 of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons. Simpson	272		
586	An Act to amend Section 110 of the Code of Civil Procedure, relating to terms of office of Justices. Simpson	272		
587	An Act to provide the manner of execution of deeds by cemetery corporations. Denison	272	1026	1152
588	An Act to amend Sections 1503, 1517, 1521, 1713, 1770, 1773, 1775, and 1830 of the Political Code, relating to the public schools. Orr	272		
589	An Act to amend Sections 1912, 1913, 1914, 1915, 1917, 1918, 1919, 1923, 1929, 1932, 1936, 1942, 1952, 1955, 1962, 1970, 1974, 1980, 1982, 1983, 1984, 1985, 1990, 2003, 2007, 2024, 2027, 2040, 2041, 2042, 2048, 2049, 2050, 2076, 2082, 2094, and to repeal Sections 1987, 1988, 1989, 2004, 2005, and 2006, all of the Political Code, and to add one new section thereto, to be known and numbered as Section 1991, relating to the National Guard, and to provide for the retirement and disposition of certain officers thereof. Seymour	272		
590	An Act appropriating money to pay the claim of B. McMahon & Son. Seymour	273		
591	An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation," approved March 24, 1893. Seymour	273		
592	An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same. Seymour	273		
593	An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California. Linder	273		
594	An Act to amend Section 1736 of the Code of Civil Procedure, relating to semi-annual returns by the Public Administrator, so as to make the cost of publishing such returns a charge against the county. Hart	273		
595	An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876. Hart	273		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
596	An Act to add a new section to the Penal Code, to be called Section 215, to prohibit the poisoning of domestic animals in towns and cities. Seawell	273	905	1152
597	An Act to amend Section 407 of the Code of Civil Procedure. Seawell	273		
598	An Act to amend Section 526 of the Code of Civil Procedure, relating to injunctions. McAllister	273		
599	An Act to add a new section to the Civil Code of California, in relation to the remedial powers of Courts of justice, and the terms and conditions of which relief may be granted, to be known and numbered as Section 3276 of said Civil Code. McAllister	273		
600	An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction in cities and towns, and cities and counties, having a population of 3,000 inhabitants or over, and to more effectually protect the people against contagious diseases. Denison	273		
601	An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893. Simpson	274		
602	An Act to amend Section 394 of the Code of Civil Procedure of California, concerning the commencement of actions. Voorheis	312		
603	An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds. Hart	317		
604	An Act to provide for the payment by municipalities of claims arising out of the improvement of streets, sidewalks, and sewers therein. Hart	318		
605	An Act to regulate the salaries of certain officers in State institutions. Seymour	318		
606	An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as Section 308, relating to the sale and use of opium, and any preparation thereof. Mahoney	318		
607	An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor. Flint	318	512	670
608	An Act to amend Section 274 of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the compensation of Court reporters. Fay	318		
609	An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 1298, relating to certificates of election, and providing for the delivery of possession of office to the persons named in such certificates, and for the punishment for the violation thereof. Fay	318		
610	An Act entitled an Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State, for the construction of sewers, and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891. McAllister	318		
611	An Act to amend Sections 2436, 2440, and 2443 of Article V of the Political Code, relating to pilots and Pilot Commissioners, and 2457, 2460, 2462, 2465, 2466, and 2467 of Article VI of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia. Toner	318		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
612	An Act to amend Section 3398 of the Political Code, appointing the Surveyor-General as the general locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States. Beard	319		
613	An Act authorizing and directing the Governor of the State of California to pay the traveling expenses of the River and Harbor Committee of the House of Representatives of the United States, if the same should visit California, and appropriating money therefor. Gleaves	325		
614	An Act entitled an Act to amend Section 475 of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries. Orr	340		
615	An Act entitled an Act to amend Section 472 of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries. Orr	340		
616	An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893, by amending Section 1 of said Act. Mathews	348		
617	An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same. Orr	348		
618	An Act to amend Section 397 of the Code of Civil Procedure of the State of California, relating to certain cases when the place of trial may be changed. Franck	348		
619	An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having 100,000 or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants," approved March 23, 1893, and to add new sections thereto, being known and designated as Sections 4, 5, 6, 7, and 8. Franck	348		
620	An Act to add a new section to the Civil Code, to be designated as Section 616, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds of income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein. Franck	348		
621	An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having 100,000 or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists. Fay	348		
622	An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor. Seymour	348		
623	An Act to amend Sections 3840, 3846, 3851, and 3854 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the collection of poll taxes. Seymour	348		
624	An Act to amend Section 718 of the Civil Code, relating to leases of town or city lots. Gesford	349		
625	An Act to amend Sections 204, 205, and 208 of the Code of Civil Procedure, relative to trial and grand jurors. Gesford	349		
626	An Act to amend Section 717 of the Civil Code, relating to leases of agricultural land. Gesford	349		
627	An Act to add a new section to the Penal Code of California, to be known and numbered as Section 310 of said Code, re-			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	lating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses, on Sundays and legal holidays. McAllister	349	838	1022
628	An Act to amend Section 2955 of the Civil Code, relating to mortgages of personal property. Linder	349		
629	An Act to amend Section 3881 of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof. Bert	349	1176	1178
630	An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year. Hart	349	794	1001
631	An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year. Hart	349	867	1071
632	An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California. Franck	349	800	
633	An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same. Whitehurst	366	840	902
634	An Act fixing the time for holding municipal elections in cities of the second class. Mathews	366		
635	An Act to promote the practical study of the sciences in the high schools of California. Earl	366		
636	An Act to amend Section 1854 of the Civil Code of California, relating to the duties of depositaries. Smith	366		
637	An Act to repeal an Act entitled "An Act to determine that lands of this State are swamp and overflowed, when returned as such by the United States Surveyor-General," approved March 31, 1891. Smith	366		
638	An Act to repeal Sections 7, 8, and 9 of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed land, and validating sales and surveys heretofore made," approved March 24, 1893. Smith	366		
639	An Act amendatory of an Act to regulate the hours of labor, and the employment of minors. Franck	366		
640	An Act relative to public health in cities of this State. Franck	366		
641	An Act to regulate and provide for a day of rest in certain cases. McAllister	366		
642	An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor. Hart	366		
643	An Act appropriating money to pay the claim of the State Agricultural Society. Hart	367		
644	An Act fixing a bounty on rabbit scalps, and making an appropriation therefor. Gleaves	367		
645	An Act to provide for the organization of county agricultural associations, and for the management of same by the State. Gleaves	367		
646	An Act to amend Section 1582 of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators. Gesford	367	882	1028
647	An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year. Ford	371	801	1001
648	An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year. Ford	371	801	1002

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
649	An Act to amend Section 2641 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers. Gleaves	374		
650	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Section 139 thereof, relating to county officers of the twenty-eighth class, their salaries, fees, and expenses. Gleaves	374		
651	An Act to amend Section 647 of the Penal Code. Withington...	374		
652	An Act entitled an Act to provide for the inheriting of community property by a married woman, upon the death of the husband intestate. Langford	395		
653	An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor. Hoyt...	395	973	1147
654	An Act to provide for the licensing of public accountants. Gleaves	395		
655	An Act prescribing how judgments which may be recovered against any city and county of over 100,000 population shall be paid. Henderson	406		
656	An Act to amend Section 407 of the Code of Civil Procedure, relating to the manner of commencing civil actions. Henderson	406		
657	An Act to amend Section 844 of the Code of Civil Procedure, relating to the manner of commencing actions in Justices' Courts. Henderson	406		
658	An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments and to include propositions. Whitehurst	406		
659	An Act relating to the qualifications of persons to hold office, and of deputies under them, and of attachés of the Legislature other than Senators or Assemblymen. Whitehurst	406		
660	An Act to provide for payment of a deficiency in the appropriation for aid to State Agricultural Society for the forty-sixth fiscal year. Voorheis	406		
661	An Act to amend Section 1062 of the Political Code, relating to the National Guard. Bert	406		
662	An Act to amend Section 1043 of the Political Code of the State of California, concerning special elections. Bert	407		
663	An Act to amend Sections 1898, 1900, 1912, 1915, 1916, 1917, 1918, 1919, 1923, 1928, 1937, 1945, 1962, 1963, 1968, 1970, 1980, 1981, 1990, 2003, 2007, 2020, 2022, 2023, 2029, 2030, 2031, 2043, 2041, 2042, 2049, 2050, 2076, 2082, 2094, and 2105 of the Political Code of the State of California, and in relation to the National Guard of California; to amend Sections 728 and 729 of the Penal Code of the State of California, all in relation to the National Guard of California; to repeal Sections 1902, 1913, 1934, 1983, 1987, 1988, 1989, 2004, 2005, 2006, 2048, 2101, 2109, and 2110 of the Political Code of the State of California, and in relation to the National Guard of California; to add one new section, to be known as Section 2102 of the Political Code of the State of California, and relating to the National Guard of California. Burke	407		
664	An Act to amend Section 3051 of the Civil Code, relative to sale of stock left in pasture or stables. Pedlar	407	1165	
665	An Act to amend Section 647 of the Penal Code, concerning vagrants. Mathews	407		
666	An Act to amend Section 55 of the Civil Code of the State of California, to repeal Sections 75, 76, and 77 thereof, and to add a new section thereto, to be known as Section 81 of the Civil Code, relating to marriage, marriage contracts, and the solemnization of marriages. Seawell	407		
667	An Act to prevent Sabbath desecration, and to secure a weekly rest day. Holloway	408		

Number	TITLE.	Introduced	Passed Senate.	Passed Assem- bly
668	An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State. Bert	408		
669	An Act appropriating the sum of \$5,000 for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California. Mathews	408	822	
670	An Act to amend Section 634 of the Penal Code, relating to the taking of salmon, and providing for punishment for the unlawful taking or catching of salmon, and regulating the distribution of fines collected for violations of the provisions of the said section. Bert	410		
671	An Act to amend Section 626 of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof. Bert	410		
672	An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum. Seymour	411		
673	An Act entitled an Act to amend the Political Code by adding a new section thereto, to be known as Section 3959, relating to the fixing of the boundaries of Orange County. Seymour	411		
674	An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates. Seymour	411		
675	An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years. Seymour	411	801	902
676	An Act to amend Section 16 of an Act entitled "An Act to provide for the erection and management of a State hospital for the insane, to be located in Southern California," approved March 11, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates. Seymour	411		
677	An Act to establish a Desert Land Enabling Act, to enable the State of California to receive from the United States desert lands under the provisions of an Act of Congress entitled "An Act making appropriations for sundry civil expenses of the Government, for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894. Gleaves	411		
678	An Act fixing salary of official shorthand reporter of counties of the twenty-eighth class. Gleaves	414		
679	An Act to amend the law regarding the office of Mayor of each city of more than 40,000 of population, in counties of the second and third classes. Denison	414		
680	An Act to amend the law regarding the Board of Education of each city of more than 40,000 of population, in counties of the second and third classes. Denison	414		
681	An Act to amend the law regarding the office of Mayor's Clerk in each city of more than 40,000 of population, in counties of the second and third classes. Denison	415		
682	An Act to amend the law regarding the City Council of each city of more than 40,000 of population, in counties of the second and third classes. Denison	415		
683	An Act to add a new section to Political Code of the State of California, to be numbered Section 2745, relating to keeping the public highways of this State clear from brush, thistles, cockle-burs, vines, and weeds. Burke	423		
684	An Act to amend Section 2645 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Road Commissioners. Burke	423		

Number	TITLE.	Introduced.	Passed Senate	Passed Assembly
685	An Act to provide for the appointment and salary of an electrician and fireman. Hoyt	423		
686	An Act for the protection of fish. Toner	423		
687	An Act to amend Section 1880 of the Political Code of the State of California, relating to public schools. Holloway	423	625	
688	An Act to amend Section 203 of the Civil Code of California, relating to parent and child. McGowan	423		
689	An Act requiring the recording of maps of cities, towns, etc. Gleaves	438		
690	An Act to amend an Act entitled "An Act to define the duties of and to license land surveyors," approved March 31, 1891, by amending certain sections thereof, and creating others therefor, to make the Act more complete. Gleaves	438		
691	An Act entitled an Act to amend Section 1980 of the Political Code. Gleaves	438		
692	An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan. Arms	438		
693	An Act to amend Sections 633, 634, 635, 637, 638, and 641 of the Civil Code, relating to mutual building and loan associations. Arms	438		
694	An Act to add a new section to the Code of Civil Procedure, to be known as Section 750, relating to suits to quiet title to, or determine adverse claims to real or personal property, or both. Earl	439	511	1062
695	An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, by adding a new section thereto, to be designated as Section 24½, authorizing the widening of two or more streets, squares, lanes, alleys, courts, or places, in one proceeding, in certain cases. Earl	439		
696	An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State. Committee of City, County, and Township Organization	441		
697	An Act to repeal an Act entitled "An Act to secure the wages of persons employed as laborers on threshing machines," approved March 12, 1885. Linder	441		
698	An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail. Mahoney	441		
699	An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor. Orr	441	953	1147
700	An Act to regulate the employment of laborers and mechanics on public works. Androus	441		
701	An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts. Androus	441		
702	An Act to amend an Act to prevent the trespassing of animals upon private property in the counties of Santa Barbara, San Luis Obispo, and Monterey," approved February 6, 1864. Fay	441		
703	An Act to amend an Act relating to "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887. Pedlar	441		
704	An Act to amend Section 726 of the Code of Civil Procedure, and to repeal Section 729 thereof, relating to actions for the foreclosure of mortgages. Pedlar	441		
705	An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894. Voorheis	444	916	1004

Number	TITLE.	Introduced	Passed Senate	Passed Assem- bly
706	An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts, and to repeal Chapter 241 of the Statutes of 1891. Mathews	444		
707	An Act to select and adopt the "Golden Poppy" as the State flower of California. Earl	444	923	1149
708	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 1431 thereof. Ford	444		
709	An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend Section 6 of an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889. Gleaves	455	868	962
710	An Act to amend Section 2211 of the Political Code, relating to the committal of insane persons; to amend Section 2217 of the Political Code, relating to the committal of insane persons; to amend Section 2220 of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc.; and to add a new section to the Political Code, to be known and designated as Section 2223 of the Political Code, relating to the examination of insane persons after committal. Seymour	455		
711	An Act to amend Sections 689 and 549 of the Code of Civil Procedure of the State of California, relating to the claims by third persons to property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received, and as to the liability of Sheriffs in levying such writs of execution and attachment, and as to the liability of Sheriffs in levying writs of execution or attachment upon property claimed as exempt from execution under Section 690 of the Code of Civil Procedure. Seymour	455		
712	An Act requiring Boards of Supervisors, Common Councils, or Boards of Trustees in cities, cities and counties, or towns in this State to fix the price at which electricity and gas shall be sold for illuminating purposes. Seymour	455		
713	An Act to define the location and provide for the offices of the Bank and Insurance Commissions. Seymour	455		
714	An Act to amend Section 53 of the Code of Civil Procedure, relating to the judgments of the Supreme Court. Hart	457		
715	An Act to provide for the alteration of the boundaries of incorporated towns and cities, by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory. Beard	469	966	1149
716	An Act to amend Section 1243 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872. Simpson	469	937	1132
717	An Act to make an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Ione. Shippee	469		
718	An Act making an appropriation for the construction of a sea wall, thoroughfare, and piers, in the harbor of San Diego. Withington	475		
719	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered 3640, relating to the assessment of franchises. Orr	475		
720	An Act to amend Section 214 of the Code of Civil Procedure, relating to the orders of Judges for drawing jurors. Earl	482		
721	An Act to amend Section 738 of the Code of Civil Procedure, relating to actions to determine adverse claims to property. Earl	482	853	1131

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
722	An Act to amend Section 3788 of the Political Code, relating to property taxes. Gesford	482		
723	An Act providing for the relief of the County Treasurer of Sonoma County, and his sureties on his official bond, on account of money of which he was forcibly robbed. Holloway	482		
724	An Act providing for the incorporation of banking corporations, defining the same, and providing for the government, regulation, and control of all such corporations organized under the laws of this State, or of any other State, Territory, or foreign country doing business within this State, and of all other corporations, companies, partnerships, firms, and individuals doing a banking business within this State. Shine.....	482		
725	An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-sixth fiscal year. Orr	482		
726	An Act to amend Section 16 of an Act entitled "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates. Seymour	482		
727	An Act to define the location and provide for the offices of the Railroad Commission. Seymour	482		
728	An Act to amend Section 1189 of the Civil Code, relating to the acknowledgment of instruments. Simpson	489		
729	An Act requiring county officers to file a monthly expense account. Earl	489		
730	An Act to prevent the display of foreign flags on public buildings in this State. Earl.....	489		
731	An Act to secure independence, and promote purity in nominations by political conventions. Earl	489		
732	An Act to amend Section 726 of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages. Earl.....	489		
733	An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered 492 and 493, concerning franchises for the construction of elevated and underground railroad tracks. Mathews.....	494	1023	1070
734	An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons. Mathews	495		
735	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 22 and 37 thereof, relating to the levying and collecting of assessments, tolls, and charges. Linder	495		
736	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887. Linder	495		
737	An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor. Linder.....	495		
738	An Act authorizing the State Board of Prison Directors to establish a school furniture factory at the Folsom State Prison, and making an appropriation therefor. Linder	495		
739	An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City. Flint....	500	1038	1151

Number	TITLE.	Introduced	Passed Senate.	Passed Assem- by
740	An Act to amend Section 5 of an Act entitled "An Act to promote the purity of elections, by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893. Androus	500		
741	An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered as Section 3443, relating to fraudulent instruments and transfers. Burke	501		
742	An Act to provide for the fixing of boundaries of lands. Withington	501		
743	An Act to amend Section 3931, Part IV, Title I, of the Political Code of the State of California, relating to the boundary of Alpine County. Voorheis	503		
744	An Act to amend Section 2293 and Section 2303 of the Political Code of the State of California, relative to the general powers and duties of the Board of Trustees of the State Library, and for the appointment of a deputy, and fixing his salary. Orr	503		
745	An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874. Arms	503		
746	An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, in relation to the Public Pound, and the appointment of a Pound-keeper and Deputy Poundkeepers therefor. Arms	503		
747	An Act to amend Section 377 of the Code of Civil Procedure of the State of California, relating to actions for damages on account of the death of a person. Seymour	503		
748	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893. Seymour	503		
749	An Act relating to the sales of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail for consumption on the premises. Seymour	503		
750	An Act to authorize the construction of public buildings for city, or city and county purposes. Biggy	504		
751	Bill to confirm sales made by the State of swamp and overflowed salt marsh or tide lands, when the same have been reclaimed or improved without interfering with commerce or navigation. Langford	504		
752	An Act to amend Section 14 of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874. Beard	504	973	1149
753	An Act to promote and secure freedom of speech in Courts of justice. Fay	504	916	1023
754	An Act to restrict gaming. Linder	504		
755	An Act for the incorporation of societies for the enforcement of the law, and the prosecution of public offenders. Gesford	509		
756	An Act to amend Section 1083 of the Political Code of the State of California, in relation to the qualifications and disabilities of electors. Gleaves	515		
757	An Act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matter. Henderson	515		
758	An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over 100,000 inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893. Linder	515		
759	An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as the Home for Feeble-Minded in Santa Clara County, and for the improvement of the same. Franck	515		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
760	An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor. McAllister	515		
761	An Act providing for the relief of Patrick Creighton, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Creighton, his assigns or legal representatives, the sum of \$75,000, and directing the Auditor of said city and county to audit the demand of said Creighton for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant. Seymour	515		
762	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered 960, relating to dismissal of appeals. Seymour	516	1102	1175
763	An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands. Aram	525	1034	1152
764	An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all moneys received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888. Seymour	525	585	545
765	An Act to promote and encourage shipbuilding in the State of California. Seymour	525		
766	An Act to prohibit the officers and employes of banks and banking corporations from borrowing the funds thereof. Seymour	525		
767	An Act to amend Section 92 of the Civil Code, relating to divorce, and to add a new section to the Civil Code, to be known and designated as Section 108 of the Civil Code, relating to divorce. Seymour	525		
768	An Act to amend Section 322 of the Penal Code of California, relating to lotteries. Pedlar	525		
769	An Act to appropriate \$4,750, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894. Ford	530	1069	1164
770	An Act to amend the Act to promote the purity of elections, by the addition of three new sections, to be known as Sections 46, 47, and 48. Holloway	530		
771	An Act to provide for the protection of public highways from damage from overflow from natural non-navigable water-courses. Langford	530		
772	An Act to establish a Police Court in and for the city of Eureka. McGowan	532	585	822
773	An Act to amend Section 3555 of the Political Code, relative to costs of proceedings against delinquent purchasers of public lands. Hart	537		
774	An Act to ascertain and express the will of the people of the State of California upon the subject of establishing a weekly day of rest. Earl	537		
775	An Act to create agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and all Acts amendatory thereof, as are in conflict herewith," approved March 20, 1891, and to repeal all			

Number	TITLE.	Introduced	Passed Senate	Passed Assem- bly
	amendatory Acts thereof, and to provide for the disposition of State property and records now in the possession of the agricultural associations of this State. Com. on Agr.	537		
776	An Act to amend Section 1131 of the Political Code, prescribing the duties of Boards of Supervisors, or other Boards having control of elections, in issuing its orders, appointing Boards of Election, designating the place where elections are to be held, and the offices to be filled. Fay	538		
777	An Act providing for the registration by hotel, boarding, lodging, and rooming house keepers of roomers and lodgers, requiring the making of reports thereof, and providing for punishment of a failure to comply with the provisions thereof. Fay	538		
778	An Act to amend an Act entitled "An Act to provide for the removal of the mineral cabinet from the State Library," approved March 9, 1887. Hart	552		
779	An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution. Aram	552		
780	An Act to appropriate \$5,000 for repairs and improvements upon the grounds of the State Insane Asylum at Agnews. Franck	552	875	964
781	An Act to amend Sections 47 and 48 of the Civil Code of the State of California, relating to libel and slander. Biggy	576	1187	1168
782	An Act to amend Sections 1880, 1884, and 1886 of the Political Code of the State of California, relating to public schools. Holloway	576	938	1148
783	An Act to add one new section to the title of the Civil Code, relating to cemetery corporations, to be numbered Section 616. Earl	576		
784	An Act to amend Section 2800 of the Political Code of the State of California, relating to the purchase of toll roads by the counties within which they are situated. Gleaves	576		
785	An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature. Voorheis	576	578	495
786	An Act to amend Chapter XXIX, Section 1, of an Act approved March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval." Voorheis	577		
787	An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties. Langford	577	930	1073
788	An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year. Denison	577		
789	An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending Section 58, relating to township officers. Seymour	577		
790	An Act to provide for the disincorporation of municipal corporations of the sixth class. Seymour	577		
791	An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage, by providing for the punishment thereof." Simpson	577		
792	An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year. Voorheis	595		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
793	An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891." Mitchell	595		
794	An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof. Mitchell	595		
795	An Act to amend Section 3 of "An Act to regulate contracts in behalf of the State in relation to erections and buildings," approved March 23, 1876, and an Act amendatory thereof, approved March 31, 1891. Mitchell	595		
796	An Act to amend Section 3494 of the Political Code of this State, relating to school lands, price, payment, when to be made. Toner	596		
797	An Act to provide for the change of grade, and for regrading and improving, in conformity with such change, the streets, lanes, alleys, courts, and places within municipalities. Bert.	596		
798	An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor. Bert.	596	1100	1165
799	An Act to prevent and forbid the owners of street railroads to require deposits from employés. Earl	600	942	1148
800	An Act to appropriate \$4,488 42 as compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894. Bert.	604	1069	1164
801	An Act to appropriate \$5,628 75 as compensation to the "La Voce del Popolo," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894. Bert.	604	1069	1164
802	An Act to appropriate \$4,075 50 as compensation to "Italian Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894. Voorheis	613	1069	1164
803	An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as Sections 560, 561, 562, and 563, concerning attachments. Gesford	613		
804	An Act to amend Sections 541, 542, 543, and 544 of the Code of Civil Procedure of the State of California, relating to attachments. Gesford	613		
805	An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses. Committee on Roads and Highways	613	970	1133
806	An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work. Committee on Roads and Highways	613	1021	1151
807	An Act to establish a uniform system of county and township governments. Committee on County Government and Township Organization	645		
808	An Act to create a Division of Poultry, and to provide for scientific and practical experimentation with poultry culture, under authority of the State University. Simpson	645		
809	An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Simpson	646		
810	An Act to amend Section 2 of an Act entitled "An Act supplemental to an Act entitled 'An Act to provide for the organi-			

Number	TITLE.	Introduced	Passed Senate.	Passed Assembly.
	zation and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act," approved March 25, 1893, relating to the number of votes necessary for the abandonment of operations. Simpson	646		
811	An Act to provide for the improvement and protection of streets, avenues, lanes, alleys, courts, and places, and for the construction of sewers within municipalities, and to establish and regulate grades therein. Simpson	646		
812	An Act to regulate the conduct and management of asylums and hospitals for the insane, and to prevent the incarceration therein of sane persons or of persons who are not so far disordered in mind as to endanger health, person, or property. Fay	646		
813	An Act providing for primary elections within the State of California, and regulating the conduct thereof, and prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof. Mahoney	646		
814	An Act to provide for the formation of societies for the promotion of physical culture, and other kindred associations. Mahoney	646		
815	An Act to amend Sections 249, 250, 252, and 253 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to libel. Denison	646		
816	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding four new sections to said Penal Code, to be known and numbered as Section —, Section —, and Section —, relating to slander. Denison	646		
817	An Act for the benefit of Robert B. Young, for work done upon the buildings of Whittier State School, at Whittier, California, and for money expended in paying for insurance on the same, and to make an appropriation for the same. Androus	647		
818	An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages. McGowan	647		
819	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be known as and numbered as Section 1742, relating to contracts for the sale of personal property. McGowan	647		
820	An Act to add a new section to the Code of Civil Procedure, to be known as Section 1296, relating to the jurisdiction of Courts of the estates of deceased persons. McGowan	647		
821	An Act to amend Section 1461 of the Code of Civil Procedure of this State so as to read as follows. McGowan	647		
822	An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure, adopted March 11, 1872, by adding a new article, exempting seamen's and fishermen's wages from execution. McGowan	647		
823	An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known and numbered as Section 1767, authorizing minors to borrow money to improve their property. McGowan	647		
824	An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer powers upon the Regents of the University of California to provide for the protection of the horticultural interests of the State. Beard	647		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
825	An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-sixth fiscal year. Voorheis	647		
826	An Act to establish the Norwegian system of selling intoxicating liquors, other than vinous and malt liquors. Withington	647		
827	Supplemental Act to "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and Acts amendatory thereto, enabling any irrigation district to dispose of certain surplus water, water rights, and water supply systems already acquired, in excess of the actual needs of the district. Withington	647		
828	An Act to amend Section 1142 of the Political Code, relating to elections and the appointment of election officers. Withington	648		
829	An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations. Withington	648		
830	An Act to provide for the establishment of a Board of Examiners for the California State Therapeutic Society. McGowan	648	1058	
831	An Act to enable all counties, incorporated towns or cities, or consolidated cities and counties, to use voting machines or balloting devices at all elections therein, and to secure greater independence of voters and secrecy of the ballot at municipal elections in the State of California. Smith	648		
832	An Act appropriating the sum of \$25,000 for a thorough system of ventilation for the Capitol building. Hart	666		
833	An Act to amend Section 499, and to repeal Section 490 of the Civil Code, in relation to railroad rates of charges, and railroad tickets. Hart	666		
834	An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employés for the forty-seventh and forty-eighth fiscal years. Hart	666		
835	An Act to add a new section to the Penal Code of the State of California, to be numbered as Section 380½, relative to the publishing of formulas for the cure of the morphine, opium, and liquor habits. Hart	666		
836	An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878. Martin	666		
837	An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe; and to provide for the appointment, duties, and compensation of a person, to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act. Martin	666		
838	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered 3640, 3680, 3801, 3831; also, by amending sections 3967, 3917, 3922, 3999, 3950, 3951, 3953, 3954, 3955, 3956, 3958, 3961, 3962, 3963, 3969, 3967, 3970, 3972, 3973, 3994, 3704, 3705, 3714, 3719, 3728, 3730, 3731, 3732, 3734, 3733, 3734, 3746, 3747, 3748, 3752, 3756, 3758, 3759, 3762, 3764, 3765, 3766, 3767, 3770, 3771, 3772, 3776, 3777, 3780, 3781, 3785, 3787, 3788, 3789, 3790, 3793, 3797, 3799, 3800, 3804, 3805, 3809, 3813, 3814, 3815, 3816, 3817.			

Number	TITLE.	Introduced .	Passed Senate	Passed Assem- bly
	3818, 3819, 3820, 3823, 3828, 3829, 3840, 3841, 3854, 3858, 3867, 3870, 3871, 3873, 3878, 3881, 3888, 3897, 3898, 3899, 3900; also, by repealing Sections 3733, 3737, 3768, 3773, 3774, 3775, 3778, 3779, 3803, 3810, 3811, 3812, 3830, 3886, 3893, 3894, 3895, and 3896, all relating to the revenue and taxes of this State. Simpson.....	666		
839	An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year. Simpson.....	668		
840	An Act to appropriate \$9,705 50 to pay the claim of C. H. Reynolds upon certain Indian war bonds. Earl	668		
841	An Act to provide for compiling and publishing an elementary word book, or speller, for the State series of school textbooks. Earl	668		
842	An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties, having 100,000 or more inhabitants. Earl.....	668		
843	An Act to amend Section 2349 of the Political Code, relating to navigable streams and waters. Earl	668	1027	1172
844	An Act to provide payment for the advertising of the constitutional amendments, and to make an appropriation therefor. Earl	668		
845	An Act to amend Sections 376 and 377 of the Code of Civil Procedure, relating to actions to recover damages for the wrongful or negligent injury or killing of human beings. Earl	668		
846	An Act to amend Sections 1489, 1503, 1517, 1521, 1543, 1551, 1552, 1575, 1576, 1594, 1617, 1713, 1770, 1773, 1775, 1830, 1880, 1882, 1884, 1885 of the Political Code of the State of California, relating to public schools. Earl	668	945	1132
847	An Act providing for contesting the election of any person apparently elected to the office of Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney-General, Surveyor-General, Clerk of the Supreme Court, Superintendent of Public Instruction, Superintendent of State Printing, Chief Justice or Associate Justice of the Supreme Court, Member of the State Board of Equalization, Railroad Commissioner, or Presidential Elector. Gleaves.....	669		
848	An Act to add a new section to the Political Code of the State of California, to be numbered 1266½, relating to the examination and counting of ballots cast at any election. Gleaves.....	669		
849	An Act to provide for a commission to investigate public offices, institutions, and departments of the State government, and of the counties, cities and counties, or municipalities thereof; to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official conduct generally; to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and other elections, and to count the ballots cast for State officers, and to authorize the discharge of unnecessary officers, employés, or attachés, and appropriating money therefor. Gleaves.....	669		
850	An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891, by amending Sections 1, 11, and 12." Gleaves.....	669		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
851	An Act to amend Section 412 of the Penal Code, relating to boxing. Toner			
852	An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties having a population of over 100,000 inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893. Toner	670		
853	An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889. Toner	670		
854	An Act regulating the width of tires upon wagons and other vehicles to be used upon the public roads and highways in the State of California. Shine	670	1085	1173
855	An Act to amend Sections 2633, 2642, 2643, 2645, 2652, 2711, and 2716 of the Political Code of the State of California, and to add three new sections to said Code, to be known as Sections 2640, 2644, and 2710, relating to highways and the powers and duties of highway officers. Committee on Roads and Highways.	670		
856	An Act to provide for the repayment by the State of California of the purchase price of salt marsh lands when it has been fully determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant, as finally surveyed and patented by the United States Government, and to make an appropriation therefor. Bert	670		
857	An Act to authorize the Board of State Harbor Commissioners to execute leases of lands belonging to the State within their jurisdiction and control. Bert	670		
858	An Act to amend an Act entitled "An Act in relation to labor and material on the public buildings in the State of California," approved April 4, 1870. Bert	670		
859	An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof. Mahoney	670		
860	An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same. Mathews	671		
861	An Act to amend the Civil Code by adding to Chapter III of Title III of Part I of Division IV a section, to be numbered 3424, concerning equitable relief in cases of multiplicity of statutory penalties. Orr	671		
862	An Act to amend Section 6 and Section 8 of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks;" also to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State." Linder	671	1109	1169
863	An Act to add a new section to the Penal Code, to be known as Section 538½, relating to defrauding proprietors and managers of livery stables. Linder	671		
864	An Act to regulate the business of running and conducting cars for profit over railroads within the State of California, and to provide a penalty for the violation of the provisions of this Act. Linder	671		

Number	TITLE.	Introduced	Passed Senate	Passed Assem- bly
865	An Act to regulate the transportation of perishable fruit, goods, or merchandise by express or transfer companies. Linder	671		
866	An Act to create the office of State Engineering Examiner of Desert Lands; to provide proper means of taking advantage of the Act of Congress approved August 18, 1894, authorizing the Secretary of the Interior to enter into contracts with the State to donate and grant desert lands not exceeding 1,000,000 acres to the State, upon the State agreeing to reclaim said land; prescribing his duties, and appropriating sufficient money to pay his salary and expenses. Fay	671		
867	An Act to amend Section 93 of the Code of Civil Procedure of the State of California, concerning Justice's docket. Fay	671		
868	An Act to amend an Act amendatory of Section 425 of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries. Smith	671		
869	An Act to amend Section 657 of the Code of Civil Procedure of the State of California, relating to the granting of new trials. Ford	672		
870	An Act to amend Section 592 of the Code of Civil Procedure of California, relating to the trial of issues of fact. Ford	672		
871	An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over 100,000 inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings, for municipal purposes. Biggy	672	942	1074
872	An Act providing for the punishment of the offense of killing or detaining carrier or homing pigeons. Flint	672		
873	An Act to provide for the exercise of the powers and duties of the Governor in certain contingencies. Aram	672		
874	An Act to amend Sections 2, 6, 7, 14, 15, 16, and 17, and to repeal Section 22 of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment and election of assignees, the appointment of receivers, the delivery of the property of the insolvent, the adjudication of due and legal notice to creditors, the bonds and oaths of assignees, and the time of making of assignments by clerks. Langford	672		
875	An Act to authorize counties of the second class to build railroads, and to lease or operate the same. Mathews	713	995	
876	An Act to amend Section 2524 of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco. Burke	735	966	
877	An Act to provide for the labeling or stamping of all packages and boxes of fruit produced or handled by aliens, other than aliens who have declared their intention to become citizens of the United States, when placed upon the market, or in any form offered for sale within this State, and providing for a penalty for the violation of this Act. Ford	755		
878	An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be known as Section 960, relating to appeals in civil cases. Ford	851		
879	An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be known as Section 391, relating to parties to civil actions. Ford	851		
880	An Act to amend Section 592 of the Code of Civil Procedure of California, relating to the trial of issues of fact in actions, both at law and in equity. Ford	852		
881	An Act to amend Section 475 of the Code of Civil Procedure of California, relating to errors and defects in pleadings and proceedings, and to errors in overruling or sustaining demurrers. Earl	852		
882	An Act to amend Section 431 of the Code of Civil Procedure, relating to demurrers to complaints. Earl	852		

Number	TITLE.	Introduced	Passed Senate	Passed Assem- bly
883	An Act to amend the Code of Civil Procedure of California, by adding a new section thereto, to be known as Section 477, relating to pleadings in civil actions, and amendments thereof. Earl	852		
884	An Act to amend an Act entitled "An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor," approved March —, 1895, by adding a new section thereto, to be known as Section 1½. Mathews	897		
885	An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expenses for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities in this State. Earl	913	1018	979
886	An Act to provide for the purchase for State institutions of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; and that no supplies shall be the product of penal or Chinese labor, and regulating the award of contracts therefor. Beard	944		
887	An Act to create a Court in and for the town of Berkeley, State of California. Earl	945	1073	1060
888	An Act appropriating money for the maintenance of the State Board of Horticulture. Voorheis	945	1085	1165
889	An Act appropriating money for the care of Yosemite Valley. Voorheis	945	1085	
890	An Act to amend Section 791 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office. Simpson	945		1175
891	An Act appropriating the sum of \$200,000 for the support of the Whittier State School at Whittier, California, for the forty-seventh and forty-eighth fiscal years. Androus	1015	1069	1062
892	An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature. Voorheis	1119	1120	1085
893	An Act to amend Section 1 of an Act approved March 31, 1891, entitled "An Act to amend an Act entitled 'An Act to provide for the building and furnishing of the Home of Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in said home,' approved March 16, 1889." Franck	1157	1157	1139

SENATE RESOLUTIONS.

Number	TITLE.	Introduced ...	Passed Senate.	Passed Assembly
CONCURRENT RESOLUTIONS.				
1	That a committee of three be appointed by the President of the Senate to confer with a like committee from the Assembly, and the Inaugural Ball Committee of Sacramento City, upon the inaugural ball ceremonies. Mahoney	50	50	34
2	That the certified copy of the official oath of Hon. Spencer G. Millard, Lieutenant-Governor of the State of California, as certified by the Secretary of State, January 14, 1895, be entered in full upon the Journals of each house. Gesford	57	57	119
3	That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on Friday, January 25, 1895, to the hour of 10 o'clock A. M., Tuesday, January 29, 1895. Mahoney	117	163	148
4	Approving four certain amendments to the charter of the city of Oakland, in Alameda County, California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the 26th day of January, 1895. Earl	219	220	189
5	That a temporary joint commission be created for the purpose of considering legislation tending to the improvement of the highways of the State. Shine	262	263	239
6	Approving the charter of the city of Eureka, in the county of Humboldt, State of California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose in the city of Eureka, on the 26th day of January, 1895. McGowan	278	309	288
7	Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State. Gleaves	326	750	690
8	Approving the charter of the town of Berkeley, Alameda County, California, voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose on the 26th day of February, 1895. Earl	742	788	711
9	Relative to employment of convicts in the State Prisons. Langford	756	756	1136
10	Relative to adjournment <i>sine die</i> . Arms	770	770	
11	Relative to printing amendments to the Constitution and Codes. Withington	1094	1094	1058
12	Relative to adjournment <i>sine die</i> . Smith	932	948	1008
13				
14	Relative to the mode of removal of letter carriers, post office clerks, and railway postal clerks. Hart	553		
15	Relative to amending Section 4, of Article IV, of the Constitution, relating to the Judicial Department. Ford	958		
16	Relative to amending Section 4, of Article IV, of the Constitution, relating to the Judicial Department. Ford	958		
17	Relative to making an exhibit of the resources of California at the Mexican International Exposition. Flint	1032	1032	
18	Relative to granting use of cabin and orchard in the Yosemite Valley to J. M. Hutchings. Smith	1125	1125	1122

Number	TITLE.	Introduced	Passed Senate	Passed a second time
JOINT RESOLUTIONS.				
1	Relating to the passage of H. R. 119, Fifty-third Congress, in the Senate of the United States. Mathews.....	67	117	120
2	Relative to the free coinage of silver. Voorheis.....	89	250	
3	Relative to the Reilly Funding Bill. Biggy.....	90		
4	Relative to the boundaries of Yosemite National Park. McAlister.....	90	185	167
5	Requesting Congress to enact a law limiting or prohibiting foreign immigration. McGowan.....	90		
6	Requesting the laying of a telegraph cable line from Northwest Seal Rock Light-house, in Del Norte County, to Trinidad, Humboldt County. McGowan.....	91		
7	Relative to the establishment of a postal telegraph in connection with the Postal Service of the United States. McGowan.....	91		
8	Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes. Langford.....	115	867	
9	Relative to the construction of the Nicaragua Canal. Langford.....	115		
10	Relative to the Sacramento and San Joaquin Rivers. Gleaves.....	137	159	167
11	Relative to the laying of an ocean cable from some point on the west coast of California to the Hawaiian Islands. Andrews.....	176		
12	Relative to protection of American industries against the competition of the cheap-labor countries of the world. Voorheis.....	473		
13	Relative to mines and mining claims situated within the boundaries of the Yosemite National Park. Voorheis.....	493		
14	Relative to the dedication of Chickamauga National Park, and the appointment by the Governor of representatives to attend. Mathews.....			
15	Relative to the dedication of the Chickamauga and Chattanooga National Military Park at Chickamauga, Georgia, and Chattanooga, Tennessee. Mathews.....	710	1181	
16	Relative to the constitutionality of the Irrigation Law. Seymour.....	812		
17	Relative to expending moneys now available for the improvement of our navigable rivers by the National Government. Gleaves.....	886	975	1146

SENATE CONSTITUTIONAL AMENDMENTS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
1	A resolution to propose to the people of the State of California an amendment to Article IX of the Constitution, Section 7, relative to the free distribution of State text-books to the common schools of the State of California. McGowan	75		
2	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article II thereof, relative to the right of suffrage. McGowan	76		
3	A resolution to propose to the people of the State of California an amendment to Article XIII of the Constitution, Section 1, relative to revenue and taxation. McGowan	76	354	
4	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 9 of Article XIII thereof, relative to the election of a State Board of Equalization. Mathews	76		
5	Relative to amending Constitution of State of California by repealing Sections 4 and 5 of Article XIII, and by amending Section 1 of said article. Mathews	76		
6	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 7 of Article I thereof, relative to trial by jury. Voorheis	76		
7	Proposed constitutional amendment, relative to amending the Constitution of the State of California, by repealing Sections 4 and 5 of Article XIII, and by amending Section 1 of said article. Withington	76		
8	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article II thereof, relative to the manner of voting. Smith	96	353	417
9	Proposed amendment to Section 5 of Article II of the Constitution, relative to elections. Ford	96		
10	Proposed amendment to Section 3 of Article XII of the Constitution of the State of California, relative to corporations. Bert	107		
11	Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax. Voorheis	115	355	
12	A resolution to propose to the people of the State of California an amendment to and providing for the repeal of Sections 22 and 23 of Article XII of the Constitution, relative to a Board of Railroad Commissioners. Langford	115		
13	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Article XI, relating to cities, counties, and towns. Fay	129	1145	1135
14	A resolution proposing to the people of the State of California an amendment to Section 6, Article XI, of the Constitution of the State of California. Fay	129		
15	To propose to the people of the State of California an amendment to the Constitution of the State, amending Article VI, relating to the Judicial Department. Ford	162		
16	Proposing to the people of the State an amendment to Section 1 of Article XIII of the Constitution, relative to exemptions from taxation. Holloway	172	356	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
17	A resolution to propose to the people of the State of California an amendment to Section 3 of Article XII of the Constitution of the State of California, in relation to corporations. Bert	173		
18	A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XX of the said Constitution, to be numbered 21, relating to acquiring land by adverse possession. Orr	214		
19	A resolution to propose an amendment to Article VI of the Constitution of the State of California, relating to the Judicial Department. Aram	411		
20	To propose to the people of the State of California an amendment to Article IX of the Constitution, Section 6, relative to the public school system. Earl	411		
21	Proposed amendment to Section 1 of Article XIV of the Constitution of California. Hart	457		
22	A resolution proposing to the people of the State of California an amendment to Section 13 of Article I of the Constitution of the State of California. Hart	457		
23	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 4 of Article VI, relative to the Judicial Department. Ford	497		
24	A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1, Article XIII thereof, relative to revenue and taxation. Arms	525		
25	A resolution proposing to the people of the State of California an amendment to Section 6, Article XI, of the Constitution of the State of California. Fay	532	1146	1127
26	A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Section 12 of Article XI thereof, relative to revenue, and taxation, and license. Linder	596		
27	Proposing an amendment to Section 22 of Article IV of the Constitution of the State of California. Langford	666		
28	A resolution to propose to the people of the State of California an amendment to Article II, Section 1, of the Constitution, in relation to the right of suffrage. Mathews	666		

H. 21

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